

**FEDERAL REGISTER**  
 VOLUME 11      1934      NUMBER 203

*Washington, Thursday, October 17, 1946*

**The President**

**EXECUTIVE ORDER 9790**

AMENDING EXECUTIVE ORDER NO. 7926 OF JULY 7, 1938,<sup>1</sup> ESTABLISHING THE WHEELER MIGRATORY WATERFOWL REFUGE

WHEREAS the Department of the Interior, Fish and Wildlife Service (hereinafter designated as the Department) and the Tennessee Valley Authority (hereinafter designated as the Authority) have cooperated in the administration of the Wheeler Migratory Waterfowl Refuge, established by Executive Order No. 7926 of July 7, 1938, and renamed the Wheeler National Wildlife Refuge by Proclamation No. 2416 of July 25, 1940;<sup>2</sup> and

WHEREAS the Department and the Authority have engaged in studies of the boundaries of the said refuge, and have determined that certain adjustments in such boundaries are now desirable, and that additional adjustments will become desirable from time to time in the interests of the Government and of the public; and

WHEREAS pursuant to such studies and determinations the Department and the Authority have recommended the present elimination from the refuge of a certain tract of land hereinafter described, and have further recommended that provision be made for the elimination of other tracts from the refuge upon mutual agreement of the said agencies; and

WHEREAS it appears that such recommendations are consistent with the purposes of the Tennessee Valley Authority Act, as amended (16 U. S. C. 831, 831a *et seq.*), and the Migratory Bird Conservation Act (16 U. S. C. 715a *et seq.*), and are in the public interest:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, and in the interest of the internal management of the Government, it is ordered that the said Executive Order No. 7926 of July 7, 1938, be, and it is hereby, amended by adding thereto at the end thereof the following:

"The following-described land consisting of one hundred thirty-three (133)

acres, more or less, in Morgan County, Alabama, is hereby eliminated from the said refuge, and all rights to the use of the land by the Department are hereby terminated with full jurisdiction over the land reverting to the Authority for the purposes of the Tennessee Valley Authority Act, as amended:

"A tract of land lying in Morgan County, State of Alabama, in the N $\frac{1}{2}$  and SE $\frac{1}{4}$  of sec. 21, T. 5 S., R. 4 W., on the left bank of the Tennessee River, approximately 1 $\frac{1}{2}$  miles southeast of Keller Memorial Bridge across the Tennessee River at Decatur, and more particularly described as follows:

"Beginning at US-TVA Monument 58 (Coordinates: N. 1,871,716; E. 666,664) in the line between sections 21 and 22, T. 5 S., R. 4 W.;

"From the initial point by bearings and distances,

N. 53°07' W., 3540 feet to a point in the east corporation boundary of the City of Decatur,

Northerly, with said east corporation boundary, 300 feet to a point,

S. 50°07' E., 650 feet, to a point,

N. 78°53' E., 330 feet, to a point,

N. 12°53' E., 430 feet, to a point on the south bank of the Tennessee River.

Northwesterly, approximately 3900 feet to a point in the line between Morgan and Limestone Counties and the center line of the channel of the Tennessee River,

Southeasterly, with said county line and upstream with the center line of the channel, approximately 5690 feet to a point in the prolongation of the line between sections 21 and 22.

Southerly with prolongation of said section line, approximately 960 feet to a point on the south bank of the Tennessee River,

Southerly with line between sections 21 and 22, approximately 1120 feet to the point of beginning.

"The positions of corners and directions of lines are referred to the Alabama (West) State Coordinate System. The contour elevation is based on Mean Sea Level Datum as established by the U. S. Coast and Geodetic Survey's Southeastern Supplementary Adjustment of 1936. The boundary markers designated 'US-TVA Monument' are concrete monuments capped by bronze tablets imprinted with the given numbers and 'T. 5 S., R. 4 W.'

"In the event that the Department and the Authority shall desire to exclude other lands from the said refuge, the parties shall enter into formal agreements designating the particular areas to be excluded and certifying that the

(Continued on p. 12123)

**CONTENTS**

**THE PRESIDENT**

EXECUTIVE ORDERS:	Page
Alien Property Custodian, Office of; termination and transfer of functions to Attorney General (Corr.)	12123
Wheeler Migratory Waterfowl Refuge; enlargement	12121

**REGULATIONS AND NOTICES**

AGRICULTURE DEPARTMENT. See also Commodity Credit Corporation; Forest Service.	
Delegation of authority to Chief of Forest Service	12124
Naval stores conservation program; conditions of payment, fire protection requirements	12127
Raisins, processed; U. S. Standards for grades	12124

**ALIEN PROPERTY CUSTODIAN:**

Vesting orders, etc.:	
Allianz Lebensversicherungs A. G.	12187
Beller, Heinrich	12188
Biering, H. C.	12191
De Hepp, Fanny Cristy Vda.	12185
Eisermann, Henrietta	12189
Kaufman, Elizabeth	12189
Muendel, Oswald Wilhelm	12190
Nottebohm & Co.	12186
Pigott, Johanna	12191
Schaal, Julius, et al.	12186
Schmid, Jacob	12184
Schmid, Joseph	12184
Tanabe, Tetsunoshin	12190
Von Glasenapp, Dr. Helmuth	12188

**CIVIL AERONAUTICS ADMINISTRATION:**

Federal-aid airport program; land acquisition	12183
---	-------

**CIVILIAN PRODUCTION ADMINISTRATION:**

Priorities system operation; prefabricated housing under veterans' emergency housing program (PR 33, Dir. 8)	12175
--	-------

**COMMODITY CREDIT CORPORATION:**

Sugar programs; sugar beets	12123
-----------------------------	-------

**DEFENSE TRANSPORTATION, OFFICE OF:**

Rail equipment, conservation; carload freight traffic	12183
Exception	12183

12121

<sup>1</sup> 3 CFR, Cum Supp.



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## CONTENTS—Continued

ECONOMIC STABILIZATION, OFFICE OF:	Page
Subsidies, support prices; continuation of coal transportation subsidy payment program	12182
FEDERAL POWER COMMISSION:	
Cities Service Gas Co., hearing	12184
FEDERAL TRADE COMMISSION:	
Cease and desist order; Frontier Asthma Co., Inc., et al.	12127
FISH AND WILDLIFE SERVICE:	
Wheeler Migratory Waterfowl Refuge, establishment; addition to table	12183
FOOD AND DRUG ADMINISTRATION:	
Antibiotic drugs, tests and methods of assay; penicillin	12128
Penicillin-containing drugs, certification of batches	12136

## CONTENTS—Continued

FOREST SERVICE:	Page
Delegation of authority from Secretary of Agriculture with respect to forest highways	12182
HOUSING EXPEDITER, OFFICE OF:	
Veterans' Emergency Housing Act:	
Priorities orders; delegation of authority	12150
Priorities regulations:	
Building materials and equipment, surplus (2 documents)	12150, 12153
Directives and certificates for surplus equipment	12155
INTERSTATE COMMERCE COMMISSION:	
Car service; movement of grain to terminal elevators by permit	12183
Cars held at Atlantic, Gulf or Pacific ports	12184
NATIONAL WAGE STABILIZATION BOARD:	
Area wage rates; building and construction industry	12155
PRICE ADMINISTRATION, OFFICE OF:	
Adjustments and pricing orders:	
Advance Products Co.	12206
Ashland Mining & Fuel Co. et al.	12202
Bates Fabric, Inc.	12209
Doric Lamp Mfg. Co., Inc.	12198
Easy Washing Machine Corp.	12207
Electric Household Utilities Corp.	12206
Elliot Coal Mining Co. et al. (2 documents)	12201, 12202
Gem Phono Mfg., Inc.	12197
General Mills, Inc.	12198
General Motors Corp. (2 documents)	12196
Geringer Sales Co.	12199
Gibralter Mfg. Co., Inc.	12199
Homecrafts Electronic Products	12203
Johnson-Claflin Corp.	12200
Mac Ray Lamp & Novelty Co., Inc.	12198
Magnavox Co.	12200
Michaelian & Kohlberg, Inc.	12199
Modern Designers	12204
Monument Mills	12209
National Carbon Co., Inc.	12210
National Trailer Corp.	12208
Ray-Dyne Mfg. Corp.	12197
Tomajko, Edward (3 documents)	12202, 12205
Watco Engineering, Inc.	12205
Cooperage, slack, and cooperage stock (MPR 481, Am. 12)	12180
Foods sold at retail:	
Group 1 and Group 2 stores (MPR 423, Am. 76)	12180
Group 3 and Group 4 stores (MPR 422, Am. 80)	12179
Foods sold at wholesale (MPR 421, Am. 37)	12178
Hawaii, softwood (RMPR 373, Amdt. 113)	12177
Linoleum and felt-base floor and wall coverings (MPR 188, Am. 5 to Order 4875)	12208
Lumber, southern hardwood (RMPR 97, Am. 25)	12181
Paper, newsprint (RMPR 130, Am. 15)	12178
Records, preservation (SO 186)	12178

## CONTENTS—Continued

PRICE ADMINISTRATION, OFFICE OF—Continued:	Page
Regional and district office orders:	
Blocks, heavyweight concrete building, southern California	12220
Brick and tile products, San Francisco region	12217
Building materials:	
Bowie County, Tex.	12218
Massachusetts	12211
Minneapolis, Minn., area	12219
San Francisco region	12211
Community ceiling prices, lists of orders filed (2 documents)	12210, 12220
Fuels, solid:	
Greenville, N. C.	12217
Tuscaloosa, Ala.	12217
Lumber, Boston region	12211
Whiskey, exemption and suspension from control (SO 132, Am. 62)	12179
PUBLIC ROADS ADMINISTRATION:	
Forest highways; delegation of authority to Chief of Forest Service from Secretary of Agriculture	12150
SECURITIES AND EXCHANGE COMMISSION:	
Hearings, etc.:	
American Power & Light Co.	12195
Interstate Power Co.	12192
Leeby, Lawrence R., & Co.	12195
Wien, M. S., & Co.	12191
SELECTIVE SERVICE SYSTEM:	
Conscientious objectors, separation board; appointment of officers	12195
State Director advices; classification	12175
WAR ASSETS ADMINISTRATION:	
Real property, surplus non-industrial	12182
Veterans' emergency housing program; structures and improvements required	12195
WAR DEPARTMENT:	
Reservoir areas, public use (Corr.)	12182
CODIFICATION GUIDE	
A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such in parentheses.	
TITLE 3—THE PRESIDENT:	Page
Chapter I—Proclamations:	
2416 <sup>1</sup>	12121
Chapter II—Executive Orders:	
7926 <sup>1</sup>	12121
9095 <sup>2</sup>	12123
9142 <sup>2</sup>	12123
9193 <sup>2</sup>	12123
9325 <sup>2</sup>	12123
9788	12123
9790	12121
TITLE 6—AGRICULTURAL CREDIT:	
Chapter II—Production and Marketing Administration (Commodity Credit):	
Part 273—Sugar programs	12123
<sup>1</sup> E. O. 9790.	
<sup>2</sup> E. O. 9788.	

## CODIFICATION GUIDE—Continued

	Page
<b>TITLE 7—AGRICULTURE:</b>	
Subtitle A—Office of the Secretary:	
Part 1—Administrative regulations	12124
Chapter 1—Production and Marketing Administration (Standards, Inspection, Marketing Practices):	
Part 52—Processed fruits, vegetables, and other products (inspection, certification, and standards)	12124
Chapter VII—Production and Marketing Administration (Agricultural Adjustment):	
Part 706—Naval stores conservation program	12127
<b>TITLE 14—CIVIL AVIATION:</b>	
Chapter II—Administrator of Civil Aeronautics:	
Part 550—Federal-aid airport program (proposed)	12183
<b>TITLE 16—COMMERCIAL PRACTICES:</b>	
Chapter I—Federal Trade Commission:	
Part 3—Digest of cease and desist orders	12127
<b>TITLE 21—FOOD AND DRUGS:</b>	
Chapter I—Food and Drug Administration:	
Part 141—Tests and methods of assay for antibiotic drugs	12128
Part 146—Certification of batches of penicillin-containing drugs	12136
<b>TITLE 23—HIGHWAYS:</b>	
Chapter I—Public Roads Administration:	
Part 15—Rules and regulations for administering forest highways	12150
<b>TITLE 24—HOUSING CREDIT:</b>	
Chapter VIII—Office of Housing Expediter:	
Part 801—Priorities orders under Veterans' Emergency Housing Act of 1946	12150
Part 803—Priorities regulations under Veterans' Emergency Housing Act of 1946 (3 documents)	12153, 12155
<b>TITLE 29—LABOR:</b>	
Chapter VI—National Wage Stabilization Board:	
Part 807—Wage Adjustment Board area wage rates	12155
<b>TITLE 32—NATIONAL DEFENSE:</b>	
Chapter VI—Selective Service System:	
Part 672—State Director advices	12175
Chapter IX—Civilian Production Administration:	
Note: Regulations and orders appearing under this chapter are listed only in the Table of Contents, <i>supra</i> .	

## CODIFICATION GUIDE—Continued

	Page
<b>TITLE 32—NATIONAL DEFENSE—Con.</b>	
Chapter XI—Office of Price Administration:	
Note: Regulations and orders appearing under this chapter are listed only in the Table of Contents, <i>supra</i> .	
Chapter XVIII—Office of Economic Stabilization:	
Part 4003—Support prices: subsidies	12182
Chapter XXIII—War Assets Administration:	
Part 8305—Surplus non-industrial real property	12182
<b>TITLE 36—PARKS AND FORESTS:</b>	
Chapter II—Forest Service	12182
Chapter III—Corps of Engineers, War Department:	
Part 311—Rules and regulations governing public use of certain reservoir areas	12182
<b>TITLE 49—TRANSPORTATION AND RAILROADS:</b>	
Chapter I—Interstate Commerce Commission:	
Part 95—Car service	12183
Chapter II—Office of Defense Transportation:	
Part 500—Conservation of rail equipment	12183
Part 520—Conservation of rail equipment; exceptions, permits, and special directions	12183
<b>TITLE 50—WILDLIFE:</b>	
Chapter I—Fish and Wildlife Service:	
Part 11—Establishment, etc., of national wildlife refuges	12183

exclusion of such areas is in the public interest and consistent with the Tennessee Valley Authority Act, as amended, and the Migratory Bird Conservation Act. Such agreements when formally executed and published in the FEDERAL REGISTER shall automatically eliminate the said lands from the refuge without further action by the President or otherwise."

HARRY S. TRUMAN

THE WHITE HOUSE,  
October 14, 1946

[F. R. Doc. 46-18802; Filed, Oct. 16, 1946;  
10:21 a. m.]

## EXECUTIVE ORDER 9788

TERMINATING THE OFFICE OF ALIEN PROPERTY CUSTODIAN AND TRANSFERRING ITS FUNCTIONS TO THE ATTORNEY GENERAL  
*Correction*

In Executive Order 9788, appearing on page 11981 of the issue for Tuesday, October 15, 1946, as F. R. Doc. 46-18657, the first line of paragraph 3 should read: "3. All personnel, property, records, and".

*Regulations*

## TITLE 6—AGRICULTURAL CREDIT

## Chapter II—Production and Marketing Administration (Commodity Credit)

[Certificate No. A 1, Amdt. 1]

PART 273—SUGAR PROGRAMS  
PROGRAM FOR SUGAR BEETS

The following letter was submitted and filed together with the documents following, relating to the 1946 Sugar Beet Program:

SEPTEMBER 30, 1946.

THE HONORABLE THE ATTORNEY GENERAL.

DEAR MR. ATTORNEY GENERAL: There are enclosed the following documents: Amendment No. 1 to Certificate No. A 1, issued by me pursuant to Section 12, Public Law 603, approved June 11, 1942; a memorandum of Mr. C. C. Farrington, Vice President, Commodity Credit Corporation, dated September 26, 1946, describing the 1946 Sugar Beet Production Program; and a specimen copy<sup>1</sup> of the type of contracts used to implement the 1946 Sugar Beet Production Program.

These documents are submitted after consultation with you, as required by Section 12 of Public Law 603, *supra*, and in accordance with the procedure suggested during the consultation.

It is requested that you furnish us with a reply acknowledging compliance with the requirements of the statute.

Sincerely yours,

N. E. DODD,  
Acting Secretary.

To the ATTORNEY GENERAL: Pursuant to section 12 of Public Law 603, approved June 11, 1942 (56 Stat. 357), Executive Order 9280 of December 5, 1942 (7 F. R. 10179), Executive Order 9334 of April 19, 1943 (8 F. R. 5423), and Executive Order 9577 of June 29, 1945 (10 F. R. 8087), I submit to you a program for the production of 1946-crop domestic sugar beets and beet sugar to be carried out by Commodity Credit Corporation. This program and the agreement entered into in implementation thereof are more fully described in the annexed memorandum of Mr. C. C. Farrington, Vice President, Commodity Credit Corporation, dated September 26, 1946.

I hereby approve this program for the purpose of section 12 of Public Law 603, approved June 11, 1942, and, after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such program, is requisite to the prosecution of the war. Accordingly, Certificate No. A 1, dated March 15, 1943 (8 F. R. 3331), is hereby amended to include the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such program for the production of 1946-crop domestic sugar beets and beet sugar.

N. E. DODD,  
Acting Secretary of Agriculture.  
SEPTEMBER 30, 1946.

<sup>1</sup>Not filed with the Division of the Federal Register.

**1946 Sugar Beet Production Program**

War conditions have made it necessary for the United States to rely more heavily than heretofore upon continental sources of sugar, particularly upon continentally produced beet sugar. As a part of its program to assist sugar beet producers and to ensure sufficient supplies of sugar during the latter part of 1946 and during 1947, the Department of Agriculture has announced and will carry out through the Commodity Credit Corporation a sugar beet price-support program. This program involves the preparation and submission to all processors of sugar beets of a Processor Agreement, 1946 Sugar Beet Price Support Program, adapted to meet the situation in each of the several sugar beet producing areas. Copies of this agreement are on file in and available for inspection at the offices of the Commodity Credit Corporation.

The principal provisions of this agreement may be summarized as follows: The processors agree to buy 1946-crop sugar beets from producers at prices (referred to as support prices) per ton of beets determined in accordance with applicable 1942 beet contracts at a stated average net proceeds from the sale of sugar for each settlement area which will reflect a support price to producers of a national average of \$13.50 per ton of beets (including payments under the Sugar Act of 1937, as amended). In the event the average net proceeds actually realized by processors from the sale of 1946-crop sugar exceed the stated average net proceeds used in the computation of support prices, processors agree to pay producers, in addition to the support prices, an amount equal to the difference between the support price and a price per ton of beets determined in accordance with the 1942 beet contract at the actual average net proceeds. Commodity Credit Corporation is obligated to pay processors the amount by which the support prices paid by them for beets exceeds the amount which would have been payable in accordance with the processors' 1942 beet contracts on the basis of average net proceeds actually derived by processors from the sale of 1946-crop sugar. Processors who pay producers the support prices are thereby protected against the effects of possible declines in the sugar market. In addition, Commodity Credit Corporation agrees to pay processors the amount per 100 pounds of sugar by which the amount realized by processors on the basis of actual average net proceeds fails to equal the sum of the amount processors would have realized upon the sale of sugar at a price of \$6.00 per 100 pounds, the present ceiling price of sugar, plus 35¢ per 100 pounds. In the event that ceiling prices and, if ceilings are removed, market prices advance and processors realize an amount greater than they would have realized upon the sale of sugar at \$6.00, plus 35¢, they agree that this excess shall be applied to reimburse Commodity Credit Corporation for the amount paid by it to processors under the 1946 Processor Agreement. In the event that proceeds derived by processors from the sale of sugar are more than sufficient to reimburse Commodity Credit Corporation,

the processor-producer contracts will operate to determine their respective shares.

Since, as indicated above, the processors are protected against market declines and are guaranteed net proceeds upon the basis of a price of \$6.00 per 100 pounds, plus 35¢, they agree to market sugar in a manner that will minimize losses to Commodity Credit Corporation. Consequently, the agreement requires processors to sell sugar at the applicable ceiling basis price or, if ceilings are removed, at basis market price, and to eliminate sales concessions. However, it permits processors to sell at lower prices to meet competition of particular sellers, to sell at the prevailing market price if such price is lower than the ceiling price, and to sell at a specified differential under the prevailing market price for cane sugar. Liquidated damages are provided in the event of sales of sugar at less than the permitted prices.

The agreement referred to, in my opinion, will have the effect of obtaining the necessary production of sugar beets and will facilitate the distribution of beet sugar in accordance with war needs. It will likewise serve to minimize the possible financial losses of the Commodity Credit Corporation without injury to the consumer and within the limits of legally established ceiling prices. I believe that the program described is necessary because of the war emergency and that certification pursuant to section 12 of Public Law 603, approved June 11, 1942, is necessary in order to secure the widest possible participation in the program.

[SEAL] C. C. FARRINGTON,  
Vice President,  
Commodity Credit Corporation.

SEPTEMBER 26, 1946.

[F. R. Doc. 46-18653; Filed, Oct. 16, 1946;  
8:57 a. m.]

**TITLE 7—AGRICULTURE****Subtitle A—Office of Secretary of Agriculture****PART 1—ADMINISTRATIVE REGULATIONS****DELEGATION OF AUTHORITY TO CHIEF OF FOREST SERVICE FROM SECRETARY OF AGRICULTURE WITH RESPECT TO FOREST HIGHWAYS**

By virtue of the authority vested in the Secretary of Agriculture of the United States, authority is hereby delegated to the Chief of the Forest Service to approve in my stead Forest highway work programs and any modification thereof under the provisions of § 15.4 (d) and (e) of Chapter I, Title 23, Code of Federal Regulations, as amended (10 F. R. 5498).

In witness whereof, I have hereunto set my hand and the seal of the Department of Agriculture, this 11th day of October 1946.

[SEAL] CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 46-18610; Filed, Oct. 16, 1946;  
8:46 a. m.]

**Chapter I—Production and Marketing Administration (Standards, Inspection, Marketing Practices)****PART 52—PROCESSED FRUITS, VEGETABLES, AND OTHER PRODUCTS (INSPECTION, CERTIFICATION, AND STANDARDS)****SUBPART B—UNITED STATES STANDARDS FOR GRADES OF PROCESSED FRUITS, VEGETABLES, AND OTHER PRODUCTS<sup>1</sup>**

Pursuant to the provisions of the Department of Agriculture Appropriation Act, 1947 (Public Law 422, 79th Congress), the following United States Standards for Grades of Processed Raisins are hereby promulgated:

§ 52.608 *Processed raisins*—(a) *Definitions.* Processed raisins are dried grapes of the Vinifera varieties—Thompson Seedless (Sultana), Muscat of Alexandria, Muscatel Gordo Blanco, and Sultana—which have been properly stemmed, capstemmed, and cleaned.

(b) *Types (Varieties) of processed raisins.*

- (1) Type I—Thompson Seedless (Sultana).
  - (i) Unbleached (natural).
  - (ii) Sulfur Bleached and Golden Bleached.
  - (iii) Soda Dipped.
- (2) Type II—Muscat.
  - (i) Seeded (seeds removed).
  - (ii) Unseeded (loose).
  - (iii) Soda Dipped Unseeded (Valencia).
- (3) Type III—Sultana.

(c) *Moisture.* Federal inspection certificates will indicate the moisture content of the finished product. Type II, Muscat Seeded raisins, may contain not more than 19 percent by weight of moisture; and the other types of raisins included in these standards may contain not more than 18 percent by weight of moisture.

(d) *Sugar content.* The recommended minimum sugar content (expressed as invert and calculated to 15 percent moisture content) for raisins is shown below. The grade for raisins will be certified without regard to sugar content, but Federal inspection certificates will indicate the sugar content upon specific request.

Types	Recommended minimum sugar content for raisins		
	Grade A or Fancy	Grade B or Choice	Grade C or Standard
Type I: Thompson seedless unbleached	Percent	Percent	Percent
Thompson seedless sulfur and golden bleached	68	66	64
Thompson seedless soda dipped			
Type II: Muscat seeded	68	66	64
Muscat unseeded			
Muscat soda dipped unseeded	66	64	62
Type III: Sultana	64	62	60

(e) *Type I—Thompson Seedless raisins*—(1) *Sizes of Thompson Seedless raisins.* Thompson Seedless (Sulta-

<sup>1</sup> The requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

nina) raisins are usually graded for size, and Federal inspection certificates will indicate the size or combination of sizes found upon examination.

Large (fancy) size raisins are practically uniform in size and will not pass through round perforations  $2\frac{1}{4}$  inch in diameter.

Medium (choice) size raisins are practically uniform in size and will pass through round perforations  $2\frac{1}{4}$  inch in diameter but will not pass through round perforations  $1\frac{1}{4}$  inch in diameter. Small (midget) size raisins are practically uniform in size and will pass through round perforations  $1\frac{1}{4}$  inch in diameter.

Custom size raisins are raisins containing two or more sizes, such as "Large and Medium" and "Large, Medium, and Small."

(2) *Color of Thompson Seedless Sulphur Bleached and Golden Bleached Raisins.* Federal inspection certificates covering Thompson Seedless, Sulfur Bleached and Golden Bleached raisins will indicate the color found upon examination in accordance with the following classifications:

*Extra fancy color.* Practically uniform yellow or light amber color with a predominating yellow or golden color and with not more than 2 percent by weight of definitely dark berries.

*Fancy color.* Generally uniform yellow or greenish yellow to light amber wherein the predominating color may be greenish yellow and with not more than 5 percent by weight of definitely dark berries.

*Extra choice color.* Fairly uniform amber color which may range from light yellow or greenish yellow to amber or greenish amber and with not more than 10 percent by weight of definitely dark berries.

*Choice color.* Generally amber or greenish amber with not more than 15 percent by weight of definitely dark berries in Sulfur Bleached nor more than 20 percent by weight of definitely dark berries in Golden Bleached. The color may lack uniformity.

(3) *Grades of Thompson Seedless Raisins.* (1) U. S. Grade A or U. S. Fancy Thompson Seedless raisins possess similar varietal characteristics; possess a good typical color in Thompson Seedless Unbleached and Soda Dipped raisins; show development characteristic of raisins prepared from well-ma-

tured grapes; and meet the following requirements (see Table No. I also):

Not more than 15 capstems and not more than 1 piece of stem per pound of raisins may be present;

Not more than 1 percent by weight of raisins may be poorly developed, blowovers.<sup>1</sup>

Not more than 2 percent by weight of raisins may be damaged;

Not more than 5 percent by weight of raisins may be visibly sugared; and

Not more than 3 percent by weight of raisins may be affected by mold, decay, fermentation, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material; *Provided*, That not more than 1 percent by weight may be affected by decay.

(ii) U. S. Grade B or U. S. Choice Seedless raisins possess similar varietal characteristics; possess a reasonably good typical color in Thompson Seedless Unbleached and Soda Dipped raisins; show development characteristic of raisins prepared from reasonably well-matured grapes; and meet the following requirements (see Table No. I also):

Not more than 25 capstems and not more than 2 pieces of stem per pound of raisins may be present;

Not more than 2 percent by weight of raisins may be poorly developed, blowovers;

Not more than 3 percent by weight of raisins may be damaged;

Not more than 10 percent by weight of raisins may be visibly sugared; and

Not more than 4 percent by weight of raisins may be affected by mold, decay, fermentation, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material; *Provided*, That not more than 1 percent by weight may be affected by decay.

(iii) U. S. Grade C or U. S. Standard Thompson Seedless raisins possess similar varietal characteristics; possess a fairly good typical color in Thompson Seedless Unbleached and Soda Dipped raisins; show development characteristic of raisins prepared from fairly well-matured grapes; and meet the following requirements (see Table No. I also):

Not more than 35 capstems and not more than 3 pieces of stem per pound of raisins may be present;

Not more than 3 percent by weight of raisins may be poorly developed, blowovers;

Not more than 5 percent by weight of raisins may be damaged;

Not more than 15 percent by weight of raisins may be visibly sugared; and

Not more than 5 percent by weight of raisins may be affected by mold, decay, fermentation, insect infestation (no live other foreign material); *Provided*, That not more than 2 percent by weight may be affected by decay.

(iv) U. S. Grade D or Substandard Thompson Seedless raisins are whole-mold, decay, fermentation, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material; *Provided*, That not more than 5 percent by weight of raisins may be affected by decay.

(v) U. S. Grade E or U. S. Choice Seedless raisins that fail to meet the requirements (see Table No. I also) of U. S. Grade C or U. S. Standard: *Provided*, That not more than 5 percent by weight of raisins may be affected by decay, fermentation, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material; *Provided*, That not more than 2 percent by weight of raisins may be affected by decay.

(vi) U. S. Grade F or U. S. Choice Seedless raisins prepared from well-matured grapes; and meet the following requirements (see Table No. II also):

Not more than 10 capstems and not more than 1 piece of stem per pound of raisins may be present;

Not more than 12 seeds per pound of raisins in Muscat Seeded raisins may be present;

Not more than 1 percent by weight of raisins in Muscat Seeded raisins may be present;

Not more than 1 percent by weight of raisins may be poorly developed, blowovers;

Not more than 3 percent by weight of raisins may be damaged;

Not more than 5 percent by weight of raisins may be visibly sugared; and

Not more than 3 percent by weight of raisins may be affected by mold, decay, fermentation, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material; *Provided*, That not more than 1 percent by weight may be affected by decay.

(ii) U. S. Grade B or U. S. Choice Muscat raisins possess similar varietal characteristics; possess a reasonably good typical color with not more than 15 percent by weight of dark reddish-brown berries in Muscat Soda Dipped Unseeded (Valencia) raisins; show development characteristic of raisins prepared from reasonably well-matured grapes; and meet the following requirements (see Table No. II also):

Not more than 15 capstems and not more than 2 pieces of stem per pound of raisins may be present;

Not more than 15 seeds per pound of raisins in Muscat Seeded raisins may be present;

3 Crown are raisins that have passed through a screen of round perforations  $4\frac{1}{4}$  inch in diameter, but have not passed through a screen of round perforations  $3\frac{1}{4}$  inch in diameter.

2 Crown are raisins that have passed through a screen of round perforations  $3\frac{1}{4}$  inch in diameter, but have not passed through a screen of round perforations  $2\frac{1}{4}$  inch in diameter.

1 Crown are raisins that have passed through a screen of round perforations  $2\frac{1}{4}$  inch in diameter.

(2) *Grades of Muscat raisins.* (1)

U. S. Grade A or U. S. Fancy Muscat raisins possess similar varietal characteristics; possess a good typical color with not more than 10 percent by weight of dark reddish-brown berries in Muscat Soda Dipped Unseeded (Valencia) raisins; show development characteristic of raisins prepared from well-matured grapes; and meet the following requirements (see Table No. II also):

Not more than 10 capstems and not more than 1 piece of stem per pound of raisins may be present;

Not more than 12 seeds per pound of raisins in Muscat Seeded raisins may be present;

Not more than 1 percent by weight of raisins in Muscat Seeded raisins may be present;

Not more than 1 percent by weight of raisins may be poorly developed, blowovers;

Not more than 3 percent by weight of raisins may be damaged;

Not more than 5 percent by weight of raisins may be visibly sugared; and

Not more than 3 percent by weight of raisins may be affected by mold, decay, fermentation, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material; *Provided*, That not more than 1 percent by weight may be affected by decay.

(ii) U. S. Grade B or U. S. Choice Muscat raisins possess similar varietal characteristics; possess a reasonably good typical color with not more than 15 percent by weight of dark reddish-brown berries in Muscat Soda Dipped Unseeded (Valencia) raisins; show development characteristic of raisins prepared from reasonably well-matured grapes; and meet the following requirements (see Table No. II also):

Not more than 15 capstems and not more than 2 pieces of stem per pound of raisins may be present;

Not more than 15 seeds per pound of raisins in Muscat Seeded raisins may be present;

TABLE I—MAXIMUMS ALLOWABLE FOR DEFECTS IN TYPE L THOMPSON SEEDLESS RAISINS

Defects	Capstems Pieces of stem	Maximum count (per pound)				
		U. S. Grade A or U. S. Fancy Choices	U. S. Grade B or U. S. Standard	U. S. Grade C or U. S. Sub-standard	U. S. Grade D or U. S. Grade E	U. S. Grade F
Poorly developed blowovers	1	15	25	35	50	5
Damaged	1	2	3	5	10	15
Visibly stained	5	10	15	20	30	35
Mold, decay, fermentation, insect infestation, imbedded dirt, or other foreign material	3	4	5	6	7	8
Debris	(1)	(1)	(1)	(1)	(1)	(1)

<sup>1</sup> No limit.

<sup>2</sup> Not more than 1 percent.

<sup>3</sup> Not more than 2 percent.

(1) *Type II—Muscat raisins.* Sizes of Muscat raisins. Muscat raisins are usually graded for size and Federal inspection certificates will indicate the size or combination of sizes found upon examination, such as "4 and 3 Crown" and "4, 3, and 2 Crown."

4 Crown are raisins that have passed over a screen of round perforations  $2\frac{1}{4}$  inch in diameter.

## FEDERAL REGISTER, Thursday, October 17, 1946

TABLE II—MAXIMUM ALLOWABLE FOR DEFECTS IN TYPE II, MUSCAT RAISINS

Not more than 2 percent by weight of raisins may be poorly developed, blowovers;

Not more than 4 percent by weight of raisins may be damaged;

Not more than 10 percent by weight of raisins may be visibly sugared; and

Not more than 4 percent by weight of raisins may be affected by mold, decay, fermentation, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material; *Provided*, That not more than 1 percent by weight may be affected by decay.

(iii) U. S. Grade C or U. S. Standard Muscat raisins possess similar varietal characteristics; possess a fairly good typical color with not more than 20 percent by weight of dark reddish-brown berries in Muscat Soda Dipped Unseeded (Valencia) raisins; show development characteristic of raisins prepared from fairly well-matured grapes; and meet the following requirements (see Table No. II also):

Not more than 20 capstems and not more than 3 pieces of stem per pound of raisins may be present;

Not more than 20 seeds per pound of raisins in Muscat Seeded raisins may be present;

Not more than 3 percent by weight of raisins may be poorly developed, blowovers;

Not more than 5 percent by weight of raisins may be damaged;

Not more than 15 percent by weight of raisins may be visibly sugared; and

Not more than 5 percent by weight of raisins may be affected by mold, decay, fermentation, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material; *Provided*, That not more than 2 percent by weight may be affected by decay.

(iv) U. S. Grade D or Substandard Muscat raisins are wholesome and edible raisins that fail to meet the requirements (see Table No. II also) of U. S. Grade C or U. S. Standard; *Provided*, That not more than 5 percent by weight of raisins may be affected by mold, decay, fermentation, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material; *And further provided*, That not more than 2 percent by weight of raisins may be affected by decay.

characteristic of raisins prepared from reasonably well-matured grapes; and meet the following requirements (see Table No. III also):

Not more than 45 capstems and not more than 2 pieces of stem per pound of raisins may be present;

Not more than 2 percent by weight of raisins may be poorly developed, blowovers;

Not more than 3 percent by weight of raisins may be damaged;

Not more than 10 percent by weight of raisins may be visibly sugared; and

Not more than 4 percent by weight of raisins may be affected by mold, decay, fermentation, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material; *Provided*, That not more than 1 percent by weight may be affected by decay.

(g) Type III—*Sultana* raisins—(1) Sizes of *Sultana* raisins. *Sultana* raisins are not usually graded for size.

(2) Grades of *Sultana* raisins. (i) U. S. Grade A or U. S. Fancy *Sultana* raisins possess similar varietal characteristics; possess a good typical color; show development characteristic of raisins prepared from fairly well-matured grapes; and meet the following requirements (see Table No. III also):

Not more than 65 capstems and not more than 3 pieces of stem per pound of raisins may be present;

Not more than 3 percent by weight of raisins may be poorly developed, blowovers;

Not more than 5 percent by weight of raisins may be damaged;

Not more than 15 percent by weight of raisins may be visibly sugared; and

Not more than 5 percent by weight of raisins may be affected by mold, decay, fermentation, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material; *Provided*, That not more than 2 percent by weight may be affected by decay.

(ii) U. S. Grade C or U. S. Standard *Sultana* raisins are wholesome and edible raisins that fail to meet the requirements (see Table No. III also) of U. S. Grade C or U. S. Standard; *Provided*, That not more than 5 per cent by weight of raisins may be affected by mold, decay, fermentation, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material: *Provided*, That not more than 1 percent by weight may be affected by decay.

characteristic of raisins prepared from reasonably well-matured grapes; and meet the following requirements (see Table No. IV also):

Not more than 45 capstems and not more than 2 pieces of stem per pound of raisins may be present;

Not more than 2 percent by weight of raisins may be poorly developed, blowovers;

Not more than 3 percent by weight of raisins may be damaged;

Not more than 10 percent by weight of raisins may be visibly sugared; and

Not more than 4 percent by weight of raisins may be affected by mold, decay, fermentation, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material; *Provided*, That not more than 2 percent by weight of raisins may be affected by decay.

(iii) U. S. Grade B or U. S. Choice *Sultana* raisins possess similar varietal characteristics; possess a reasonably good typical color; show development

TABLE III—MAXIMUM ALLOWABLE FOR DEFECTS IN TYPE III, SULTANA RAISINS

Defects	Maximum Count (per pound)	Defects						Maximum count (per pound)
		U. S. Grade A or B or U. S. Fancy Choice	U. S. Grade C or Substandard	U. S. Grade D or Substandard	U. S. Grade C or Substandard	U. S. Grade C or Substandard	U. S. Grade C or Substandard	
Capstems.....	10	15	20	30	40	50	60	25
Pieces of stem (seeded type).....	1	2	3	4	5	6	7	2
Seeds (seeded type).....	12	15	20	30	40	50	60	3

<sup>1</sup> No limit.  
<sup>2</sup> Not more than 1 percent.  
<sup>3</sup> Not more than 2 percent.

Maximum (by weight)	Capstems.....						Maximum (by weight)
	Per cent	Per cent	Per cent	Per cent	Per cent	Per cent	
Per cent.....	1	2	3	4	5	6	7
Per cent.....	3	4	5	6	7	8	9
Per cent.....	10	15	20	30	40	50	60
Per cent.....	3	4	5	6	7	8	9
Per cent.....	15	20	30	40	50	60	70
Per cent.....	3	4	5	6	7	8	9

<sup>1</sup> No limit.  
<sup>2</sup> Not more than 1 percent.  
<sup>3</sup> Not more than 2 percent.

(h) Explanation of terms. (1) "Capstems" mean small woody stems exceeding  $\frac{1}{8}$  inch in length which attach the pieces of stem to the branches of the bunch. (2) A "piece of stem" means a portion of the branch or main stem. (3) "Seeds" refer to the whole, fully developed seeds which have not been removed during the processing of Type II Muscat Seeded raisins. (4) "Poorly developed, blowovers" refers to berries that are immature, contain very little meat, are light in weight, and those that have very coarse wrinkles. (5) "Damaged" raisins means raisins affected by insect infestation or injury from sunburn, scars, mechanical or other means which seriously affects the appearance, edibility, keeping or shipping quality of the raisins. In Type II Muscat Seeded raisins, mechanical injury resulting from normal seedling operations is not considered damage. (6) "Visibly sugared" means the accumulation of crystallized fruit sugars on or near the surface which is readily apparent. (7) "Mold" means mold filaments or spores (often characterized by a condition wherein the skin of the raisin appears to have been dissolved, leaving a slimy or sticky appearance, and often

resulting in a positive reaction when submerged in a 3 percent hydrogen peroxide solution.

(8) "Affected by insect infestation" means that the raisins show the presence of insects, insect fragments, or excreta. No live insects are permitted.

(1) *Worksheet for processed raisins.*

Size of case or package.....
Markings.....
Label or brand.....
Net weight.....
Type.....
Size or sizes.....
Moisture content.....
Sugar content (see recommended minimum).....

Defects	A	B	C	D
Maximum (per pound)				
Capstems:				
Type I.....	15	25	35	(1)
Type II.....	10	15	20	(1)
Type III.....	25	45	65	(1)
Pieces of stem (all types).....	1	2	3	(1)
Seeds: Type II, muscat seeded only.....	12	15	20	(1)

Defects	Per cent	Per cent	Per cent	Per cent
Maximum (by weight)				
Poorly developed, blowovers (all types).....	1	2	3	(1)
Damaged:				
Type I and Type III.....	2	3	5	(1)
Type II.....	3	4	5	(1)
Visibly sugared (all types).....	5	10	15	(1)
Mold, decay, fermentation, insect infestation, imbedded dirt, foreign material.....	3	4	5	5
Decay (all types).....	(1)	(1)	(1)	(1)

Color	Maximum (by weight)
Type I, <sup>1</sup> Thompson seedless sulfur bleached and golden bleached:	
Extra Fancy.....	Percent
Fancy.....	2
Extra Choice.....	5
Sulfur Bleached (Choice).....	10
Golden Bleached (Choice).....	15
Type II, <sup>2</sup> Muscat soda dipped unseeded (Valencia):	
Grade A.....	20
Grade B.....	15
Grade C.....	10

Sugar content	Recom-mended minimum content		
	A	B	C
Type I: Thompson seedless.....	Percent		
Muscat seeded.....	68	66	64
Muscat unseeded and Muscat soda dipped unseeded (Valencia).....	66	64	62
Type III: Sultana.....	64	62	60

<sup>1</sup> No limit.

<sup>2</sup> Not more than 1 percent.

<sup>3</sup> Not more than 2 percent.

<sup>4</sup> Definitely dark berries.

<sup>5</sup> Dark reddish brown berries.

These standards for Grades of Processed Raisins, which are the second issue, hereby supersede the standards that have been in effect since March 2, 1942.

It is hereby found and determined

that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (60 Stat. 237; Pub. Law 404, 79th Cong., 2d Sess.) in connection with the issuance of these revised standards, is impracticable, unnecessary, and contrary to the public interest, in that: (1) the standards for processed raisins have been in the process of revision since 1945 and the revised standards are the result of suggestions made by packers, brokers, distributors, and consumers of processed raisins, with whom discussions concerning the revised standards have been held from time to time; (2) the issuance of the revised standards prior to the effective date hereof was not practicable because Government contracts for the procurement of processed raisins were based upon the specifications contained in the standards issued March 2, 1942; (3) the termination of wide-scale purchases of processed raisins by Government sources has made immediately necessary the establishment of a third grade of processed raisins in order to provide for the marketing of all processed raisins which are produced; and (4) processors and distributors of processed raisins have entered into contracts for the 1946 season, which begins on October 15, 1946, on the basis of the anticipated revision of the standards effective on such date.

(Pub. Law 422, 79th Cong.; 7 CFR, Part 1, 11 F. R. 7713)

Issued at Washington, D. C., this 14th day of October, 1946, to be effective on and after the 15th day of October 1946.

[SEAL] E. A. MEYER,  
Acting Administrator, Production and Marketing Administration.

[F. R. Doc. 46-18702; Filed, Oct. 16, 1946;  
8:46 a. m.]

## Chapter VII—Production and Marketing Administration (Agricultural Adjustment)

[Bulletin NSCP-1001, Supp. 2]

### PART 706—NAVAL STORES CONSERVATION PROGRAM

#### CONDITIONS OF PAYMENT; FIRE PROTECTION REQUIREMENTS

Section 706.704 is further amended by striking out paragraph (c) (3) of said section.

(49 Stat. 1148, 1915; 50 Stat. 329; 52 Stat. 31, 202, 204, 205, 746; 53 Stat. 550, 573; 16 U. S. C. 590g-590q; 54 Stat. 216, 727; 55 Stat. 257, 860; 56 Stat. 51, 761; 58 Stat. 734; 59 Stat. 9).

Issued at Washington, D. C. this 11th day of October 1946.

[SEAL] CLINTON P. ANDERSON,  
Secretary.

[F. R. Doc. 46-18611; Filed, Oct. 16, 1946;  
8:53 a. m.]

## TITLE 16—COMMERCIAL PRACTICES

### Chapter 1—Federal Trade Commission

[Docket No. 3935]

#### PART 3—DIGEST OF CEASE AND DESIST ORDERS

FRONTIER ASTHMA CO., INC., ET AL.

§ 3.6 (t) Advertising falsely or misleadingly—Qualities or properties of product or service: § 3.6 (y) Advertising falsely or misleadingly—Safety: § 3.71 (e) Neglecting, unfairly or deceptively, to make material disclosure—Safety. In connection with the offering for sale, sale or distribution of the medicinal preparations now sold by respondents for use in the treatment of asthma, or any preparations of substantially similar composition or possessing substantially similar properties, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means to induce, etc., directly or indirectly, the purchase in commerce, etc., of said preparations, which advertisements represent, directly or by implication, (a) that respondents' preparations constitute cures or remedies for asthma; or that said preparations possess any therapeutic value in the treatment of asthma except insofar as they may afford temporary relief from the paroxysms thereof; (b) that said preparations build up the system or prevent attacks of asthma; or, (c) that said preparations are safe or harmless, unless such representation expressly excludes from its application those individuals having goiter or tuberculosis in either the active or arrested stage; or which advertisements fail to reveal that said preparations should not be used by those having goiter or tuberculosis in either the active or arrested stage; prohibited, subject to the provision, however, that such advertisements need contain only the statement, "Caution: use only as directed", if and when the directions for use, wherever they appear on the label, in the labeling, or both on the label and in the labeling, contain a warning to the above effect. (Sec. 5, 38 Stat. 719 as amended by sec. 3, 52 Stat. 112; 15 U. S. C. sec. 45b) [Cease and desist order, Frontier Asthma Company, Inc., et al., Docket 3935, September 12, 1946]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 12th day of September A. D. 1946.

In the Matter of Frontier Asthma Company, Inc., a Corporation, Guy A. White, Individually and as President of Frontier Asthma Company, Inc., Edward O. Spillman, Individually and as Vice President and General Manager of Frontier Asthma Company, Inc., Peter A. Porter, Jr., Individually and as Secretary and Treasurer of Frontier Asthma Company, Inc., Ernest N. Post, Harry J. Partridge, William Stanton, W. F. Van Duzee, and C. P. Bonham, Individuals

This proceeding having been heard by the Federal Trade Commission upon the amended and supplemental complaint of

the Commission, the answer of respondents, evidence introduced before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, briefs in support of and in opposition to the complaint, and oral argument; and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

*It is ordered.* That respondent Frontier Asthma Company, Inc., a corporation, and its officers, and respondents Guy A. White, Edward O. Spillman and Peter A. Porter, Jr., individually and as officers of said corporation, and respondents Ernest N. Post, Harry I. Partridge, William Stanton, B. F. Van Duzee and C. P. Bonham, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of the medicinal preparations now sold by respondents for use in the treatment of asthma, or any preparations of substantially similar composition or possessing substantially similar properties, do forthwith cease and desist from:

1. Disseminating or causing to be disseminated by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which represents, directly or by implication:

(a) That respondents' preparations constitute cures or remedies for asthma; or that said preparations possess any therapeutic value in the treatment of asthma except insofar as they may afford temporary relief from the paroxysms thereof;

(b) That said preparations build up the system or prevent attacks of asthma;

(c) That said preparations are safe or harmless, unless such representation expressly excludes from its application those individuals having goiter or tuberculosis in either the active or arrested stage.

2. Disseminating or causing to be disseminated by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which fails to reveal that said preparations should not be used by those having goiter or tuberculosis in either the active or arrested stage; *Provided, however,* That such advertisement need contain only the statement, "Caution: Use Only as Directed", if and when the directions for use, wherever they appear on the label, in the labeling, or both on the label and in the labeling, contain a warning to the above effect.

3. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase of said preparations in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement contains any representation prohibited in paragraph 1 hereof, or which fails to comply with the affirmative requirements set forth in paragraph 2 hereof.

*It is further ordered.* That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 46-18654; Filed, Oct. 16, 1946;  
8:45 a. m.]

## TITLE 21—FOOD AND DRUGS

### Chapter I—Food and Drug Administration

#### PART 141—TESTS AND METHODS OF ASSAY FOR ANTIBIOTIC DRUGS

##### PENICILLIN

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 1055, as amended by 59 Stat. 463; 21 U. S. C., Sup. V, 357) the regulations for tests and methods of assay of antibiotic drugs (10 F. R. 11478-11485), as amended, are hereby repealed, and the following regulations substituted therefor.

Sec.

- 141.1 Sodium penicillin, calcium penicillin, and potassium penicillin; potency.
- 141.2 Sodium penicillin, calcium penicillin, and potassium penicillin, sterility.
- 141.3 Sodium penicillin, calcium penicillin, and potassium penicillin; pyrogens.
- 141.4 Sodium penicillin, calcium penicillin, and potassium penicillin; toxicity.
- 141.5 Sodium penicillin, calcium penicillin, and potassium penicillin; moisture, pH, clarity, crystallinity and heat stability.
- 141.6 Sodium penicillin, calcium penicillin, and potassium penicillin; penicillin X.
- 141.7 Penicillin in oil and wax.
- 141.8 Penicillin ointment.
- 141.9 Tablets buffered penicillin.
- 141.11 Penicillin with aluminum hydroxide gel.
- 141.12 Penicillin troches.
- 141.13 Penicillin dental cones.
- 141.14 Penicillin with vasoconstrictor.
- 141.15 Penicillin for surface application.
- 141.16 Tablets alum precipitated penicillin.
- 141.17 Penicillin sulfonamide powder.

AUTHORITY: §§ 141.1 to 141.17, inclusive, issued under sec. 507, 52 Stat. 1040, as amended by 59 Stat. 463; 21 U. S. C., Sup. V, 357.

§ 141.1 *Sodium penicillin, calcium penicillin, and potassium penicillin; potency*—(a) *Cylinders (cups)*. Make from standard wall pyrex tubing or from glazed porcelain, stainless steel, or aluminum tubing of the same wall thickness ( $\pm 0.1$  mm), having an outside diameter of 8 mm ( $\pm 0.1$  mm), by cutting into 1.0 cm lengths. Unless made from stainless steel, the cylinders are beveled inside on one end at an angle of 30° to 40°. The beveled surface is ground to a smooth edge.

(b) *Culture media*. (1) Make nutrient agar for the seed layer and for carrying the test organism as follows:

Peptone	6.0 gms.
Pancreatic digest of casein	4.0 gms.
Yeast extract	3.0 gms.
Beef extract	1.5 gms.
Glucose	1.0 gm.
Agar	15.0 gms.
Distilled water, q. s.	1,000.0 ml.
pH 6.5 to 6.6 after sterilization.	

(2) Make nutrient agar for the base layer as follows:

Peptone	6.0 gms.
Yeast extract	3.0 gms.
Beef extract	1.5 gms.
Agar	15.0 gms.
Distilled water, q. s.	1,000.0 ml.
pH 6.5 to 6.6 after sterilization.	

(3) Make nutrient broth, for preparing an inoculum of the test organism, as follows:

Peptone	5.0 gms.
Yeast extract	1.5 gms.
Beef extract	1.5 gms.
Sodium chloride	3.5 gms.
Glucose	1.0 gm.
Dipotassium phosphate	3.68 gms.
Potassium dihydrogen phosphate	1.32 gms.
Distilled water, q. s.	1,000.0 ml.
pH 7.0 after sterilization.	

(4) Media ingredients. (i) The yeast extract used in (1), (2), and (3) is a peptone-like substance which represents the soluble products of yeast cells (*S. cerevisiae*) prepared under optimum conditions, clarified and desiccated to a powder. One gram of the extract represents not less than 7.5 gms. of the original yeast.

It is a reddish-yellow to brown powder with a characteristic but not putrescent odor. It is soluble in water, forming a yellowish to brown solution having a slight acid reaction.

Its nitrogen content after drying to constant weight at 100° C., as determined by the Kjeldahl method, is not less than 7.2% and not more than 9.5%.

Its residue on ignition, as determined by weighing accurately about 0.5 gm. and heating slowly until it is thoroughly charred, cooling, adding 1.0 ml. of sulfuric acid, and igniting to constant weight, is not more than 15%.

Its loss at 100° C., as determined by weighing accurately about 1.0 gm. and drying to constant weight at 100° C., is not more than 5%.

It contains no coagulable protein, as determined by the absence of precipitate when a filtered aqueous solution (1 in 20) is heated to boiling.

Its chloride content, calculated as sodium chloride, is not more than 5%.

It contains no carbohydrate other than that naturally present.

(ii) The pancreatic digest of casein (bacteriological peptone) used in paragraph (b) (1) of this section and in § 141.2 (a) (1), is a grayish-yellow powder, with a characteristic but not putrescent odor. It is freely soluble in water, a 2% solution having a light yellow color, being free from turbidity or sediment, and having a reaction of pH 6.5 to 7.0; it is insoluble in alcohol or ether. The casein used in the preparation of the digest is good commercial grade or better of acid precipitated casein which meets the following specifications:

Ash.....	Not more than 2.5%.
Moisture.....	Not more than 8.0%.
Fat.....	Not more than 0.5%.
Free acid (as lactic acid).....	Not more than 0.25 %.
Reducing sugars.....	Trace.
Fineness.....	100% through a 20-mesh sieve.

The sodium chloride content of the pancreatic digest of casein is not more than 1%.

Its loss at 100° C., as determined by weighing accurately about 2 gms and drying to constant weight at 100° C., is not more than 7%.

Its nitrogen content, after drying to constant weight at 100° C., as determined by the Kjeldahl method, is not less than 10%.

Its residue on ignition, as determined by weighing accurately about 0.5 gm (previously dried to constant weight at 100° C.) and heating it slowly until it is thoroughly charred, cooling, adding 1.0 ml of sulfuric acid, and igniting to constant weight, is not more than 15%.

If the peptone meets the above requirements, it need not be dried to constant weight for the following tests:

It meets the following tests for degree of digestion: Dissolve 1 gm in 10 ml of distilled water.

(a) Stratify a few drops of 10% acetic acid in 50% alcohol on about 1 ml of the solution. No ring or precipitate forms at the junction of the two fluids and, when shaken, no turbidity results.

(b) Mix 1 ml with 4 ml of a saturated solution of zinc sulfate. A moderate amount of precipitated proteoses is formed.

(c) To 1 ml of filtrate from (b) add 3 ml of distilled water and 4 drops of saturated bromine water; a distinct reaction for tryptophane is given.

It is free from nitrites as determined by the following test: To about 5 ml of a 2% solution add:

(a) A few drops of sulfanilic acid reagent (sulfanilic acid, 0.8 gm; sulfuric acid of sp. gr. 1.84, 5 ml; distilled water, 100 ml), and

(b) A few drops of dimethylalpha-naphthylamine reagent (dimethylalpha-naphthylamine, 0.6 ml; glacial acetic acid, 30 ml; distilled water, 70 ml).

Mix and allow to stand for 15 minutes. No pink or red color develops.

It meets the following tests for bacteria-nutrient properties:

Prepare media by adding to distilled water:

(a) 2% of the bacteriological peptone, 0.5% of sodium chloride;

(b) 1% of the bacteriological peptone, 0.5% of sodium chloride;

(c) 0.1% of the bacteriological peptone, 0.5% of sodium chloride;

(d) 1% of the bacteriological peptone, 0.5% of sodium chloride, 0.5% of dextrose;

(e) 2% of the bacteriological peptone, 0.5% of sodium chloride, 1.5% of agar.

Adjust the reaction of all media to pH 7.2 to 7.4.

To medium (a) add sufficient phenol red indicator to give a readable color, tube in Durham fermentation tubes, and autoclave. Inoculate with a loop of 24-hour culture of *Escherichia coli*. Nei-

ther acid nor gas is produced during incubation for 48 hours at 37° C.

Inoculate 5 ml of medium (b) with *Eberthella typhosa*. Suspend between the cotton plug and the mouth of the test tube a strip or loop of lead acetate paper so that it hangs about 2 inches above the medium. After incubation at 37° C. for 24 hours the lower tip of the lead acetate paper shows little, if any, darkening; after 48 hours it shows an appreciable amount of brownish blackening (lead sulfide).

Incubate 5 ml of medium (c) inoculated with *E. coli* for 24 hours at 37° C.; add about 0.5 ml of indol reagent (para-dimethylaminobenzaldehyde, 1 gm; ethyl alcohol, 95 ml; hydrochloric acid of sp. gr. 1.18, 20 ml); a distinct pink or red color forms which is soluble in chloroform.

Inoculate 5 ml of medium (d) with *Aerobacter aerogenes*, and incubate for 24 hours at 37° C. Test by adding to the culture an equal volume of 10% solution of sodium or potassium hydroxide; shake and allow to stand at room temperature for several hours. The presence of acetyl-methyl-carbinol is shown by the appearance of a pink color.

In lieu of preparing the media from the individual ingredients specified in paragraph (b) (1), (2), and (3) of this section, they may be made from a dehydrated mixture which, when reconstituted with distilled water, has the same composition as such media. Minor modification of the individual ingredients specified in paragraph (b) (1), (2), and (3) of this section are permissible if the resulting media possess growth promoting properties at least equal to the media described.

(c) Working standard. Keep the working standard (obtained from the Food and Drug Administration) in tightly stoppered vials, which in turn are kept in larger stoppered tubes containing anhydrous calcium sulfate, constantly at freezing temperature. Weigh out carefully in an atmosphere of 50 percent relative humidity or less between 4 and 5 mg of the working standard and dilute with sterile 1% phosphate buffer (ph. 6.0) to make a stock solution of any convenient concentration. Keep this solution at a temperature of about 100° C.; do not use it later than 3 days after it is made. From this stock solution make daily appropriate working dilutions.

(d) Preparation of sample. Dissolve aseptically, in pyrogen-free sterile distilled water, the sample to be tested to make an appropriate stock solution.

(e) Preparation of plates. Add 21 ml of agar to each Petri dish (20 x 100 mm). Distribute the agar evenly in the plates and allow it to harden. Use the plates the same day they are prepared. The test organism is *staphylococcus aureus* (F. D. A. 209-P) or (9144) American Type Culture Collection. Maintain the test organism on agar slants and transfer to a fresh agar slant about once a week. Prepare an inoculum for the plates by transferring the culture from the agar slant into broth and incubate at 37° C. From 16 to 24 hours thereafter add 2.0 ml of this broth culture to each 100 ml of agar which has been melted

and cooled to 48° C. Mix the culture and agar thoroughly and add 4 ml to each of the plates containing the 21 ml of the uninoculated agar. Tilt the plates back and forth to spread the inoculated agar evenly over the surface. Replace the glass covers of these inoculated plates with porcelain covers glazed on the outside. Place four cylinders on the agar surface (beveled end down) so that they are at approximately 90° intervals on a 2.8 cm radius. In so placing the cylinders drop them from a height of ½ inch, using a mechanical guide or device. A suspension of the test organism may be used in place of the broth culture described above in preparing the inoculum for the seeding of plates. Prepare such suspension as follows: Wash the organisms from an agar slant which has been incubated for 24 hours at 37° C. with 2.0 ml of sterile physiological saline onto a large agar surface such as that provided by a Roux bottle containing 300 ml of agar. Spread the suspension of organisms over the entire agar surface with the aid of sterile glass beads. Incubate 24 hours at 37° C. Wash the resulting growth from the agar surface with about 50 ml of sterile physiological saline. Standardize this suspension by determining the dilution which will permit 20% light transmission through a filter at 6500 Angstrom units in a photoelectric colorimeter. Add 1.5 to 2.0 ml of this resulting dilution to each 100 ml of agar which has been melted and cooled to 48° C. to prepare the inoculum for the plates. The suspension may be used for one week.

(f) Assay. Use four plates for each sample. Fill one cylinder on each plate with a 1.0 unit per ml dilution, and one with a 0.25 unit per ml dilution, of the working standard. Add the estimated dilutions of 1.0 unit per ml and 0.25 unit per ml of the sample under test to the remaining 2 cylinders on each plate. Carefully place the plates in racks and incubate 16 to 18 hours at 37° C. After incubation measure the diameter of each circle of inhibition to the nearest 0.5 mm using a colony counter with a mm scale etched into the supporting glass over the light source. Other measuring devices of equal accuracy may be used.

(g) Estimation of potency and error. (1) Use the accompanying chart (Chart I) and nomograph (Chart 2) for estimating the potency and its error. To use the chart for estimating potency two values, namely, *V* and *W*, are required. For each plate calculate two values.

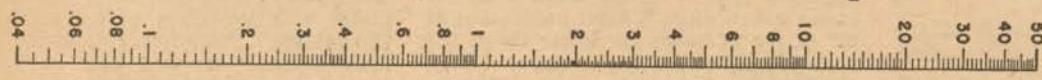
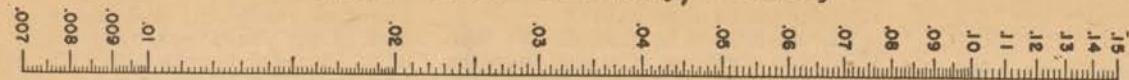
$$v = (u_L + u_H) - (s_L + s_H)$$

and

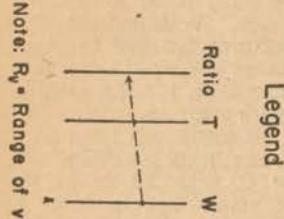
$$w = (u_H + s_H) - (u_L + s_H)$$

where *s<sub>H</sub>* and *s<sub>L</sub>* are the diameters of the zones of inhibition in mm of the 1.0 unit and 0.25 unit dilutions of the standard, respectively, and *u<sub>H</sub>* and *u<sub>L</sub>* refer similarly to the corresponding dilutions of the sample under test. The value *V* is the sum of the *v* values for all plates and *W* is the sum of the *w* values for all plates. To estimate the potency locate the point on the chart corresponding to the values of *V* and *W*, and the potency can be read from the radial lines on the chart.

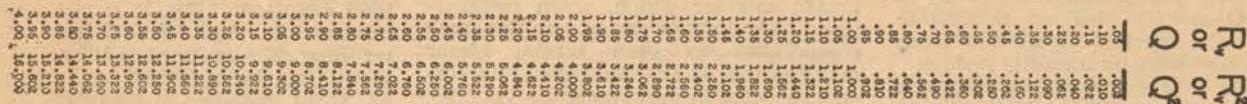
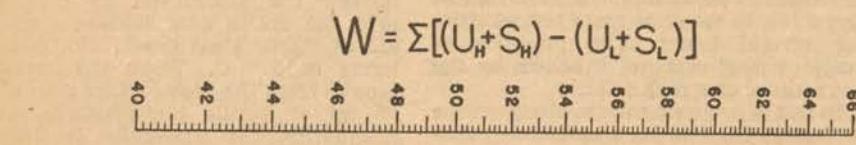
## Ratio: Error of Assay/Potency



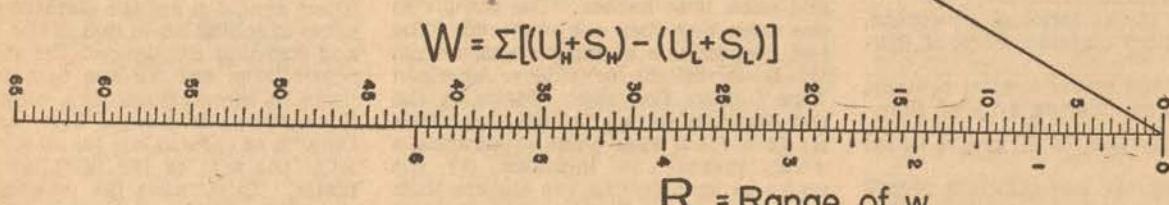
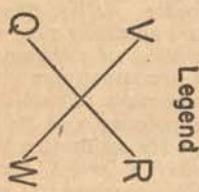
$$T = R_w^2 + Q^2$$

PENICILLIN ASSAY

Nomographs for estimating Error of Assay  
(2 dose, 4 plate method. Ratio of doses 4:1)



$$V = \sum[(U_H + S_H) - (U_L + S_L)]$$

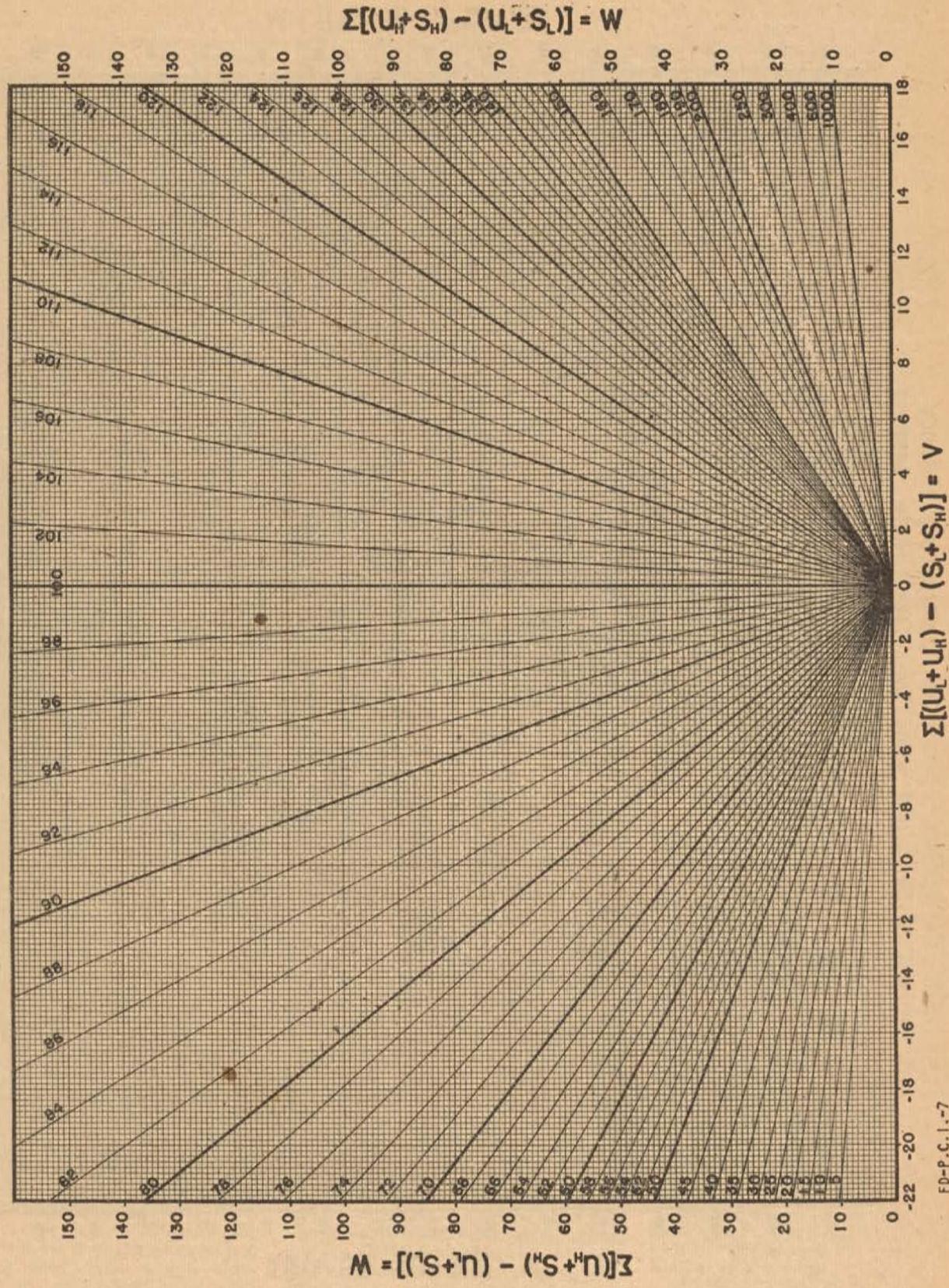


R<sub>w</sub> = Range of w

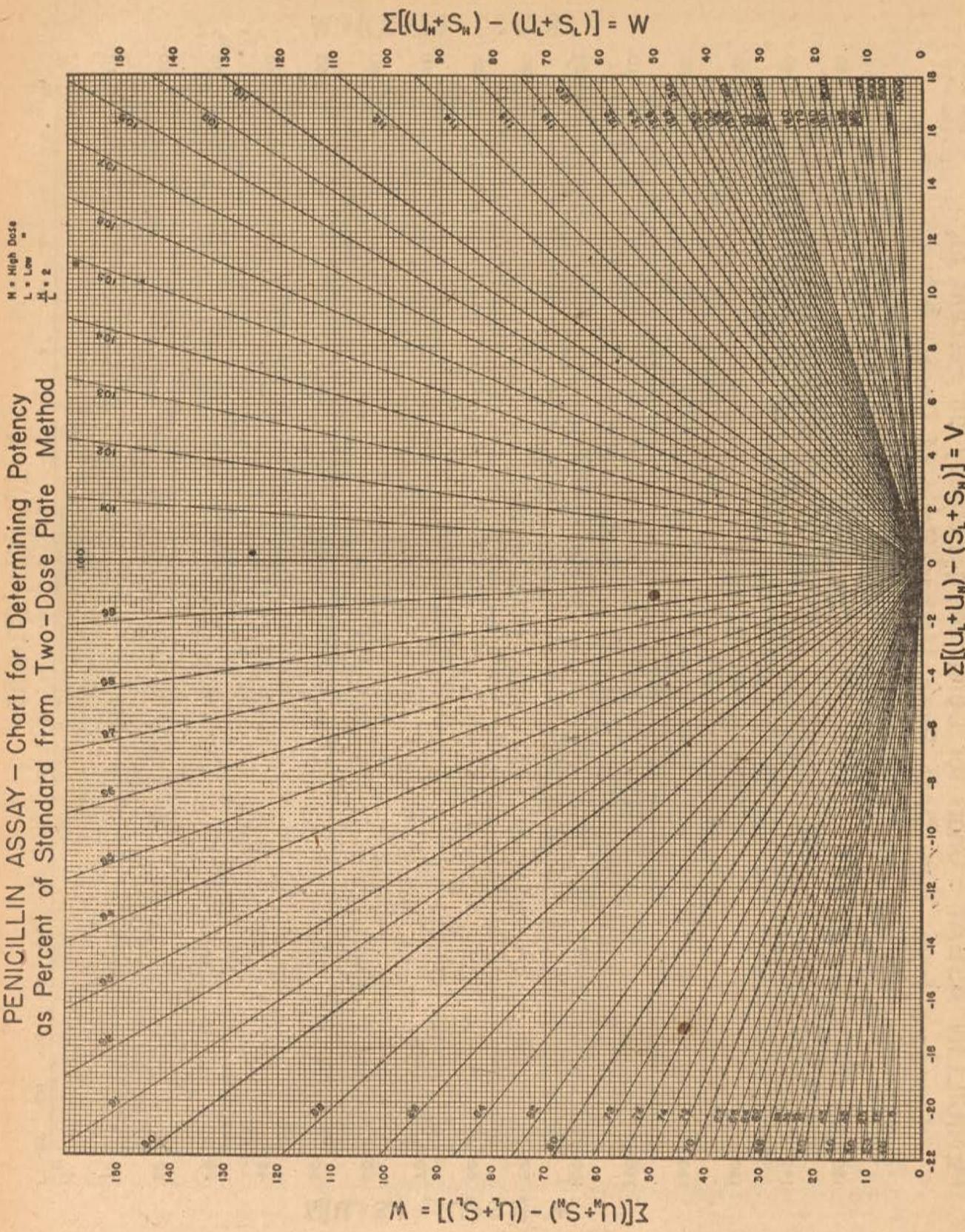
$$W = \sum[(U_H + S_H) - (U_L + S_L)]$$

PENICILLIN ASSAY - Chart for Determining Potency as Percent of Standard from Two-Dose Plate Method; Ratio of Doses 4:1

H = High Dose  
L = Low  
 $\frac{H}{L} = 4$



PENICILLIN ASSAY — Chart for Determining Potency  
as Percent of Standard from Two-Dose Plate Method



(2) The error of the assay is estimated by using the nomograph which requires five values, namely, the potency,  $V$ ,  $W$ ,  $Rv$ , and  $Rw$ .  $Rv$  (the range of the  $v$ 's) is the highest value of  $v$  minus the lowest value of  $v$  obtained from the individual plates. Similarly,  $Rw$  is the difference between the highest and lowest  $w$  values. After obtaining these five values, connect with a straight edge the points corresponding to  $v$  and  $w$  on the respective scales on the right side of the nomograph. Mark with a pin or sharp-pointed pencil the intersection of the straightedge and the diagonal line of the nomograph. Move the straightedge so that it connects the value of  $Rw$  on its scale and the diagonal line at the point of the pin. The value for  $Q$  is thus determined by the scale value where the straightedge crosses the line labeled " $Q$ ".  $T$  is obtained by adding the squares of  $Q$  and  $Rv$ . On the left side of the chart connect the values of  $T$  and  $W$  with the straightedge and read the value of the ratio (error of assay-potency) where the straightedge intersects the scale of values for the ratio. This value multiplied by the potency equals the percentage error of the assay. The error of the assay calculated here estimates only how closely one assayist can check himself on any given set of dilutions of unknown and standard. It does not include any errors of weighing or errors due to variations in materials or subdivisions of a lot of penicillin.

The chart for determining potency should not be used for determinations of potency lower than 50% or higher than 150% of the standard. If the potency lies outside these limits, the assay should be repeated using a higher or lower dilution. The radial lines on the chart beyond these limits permit a rough estimation of potency from as low as 5% to as high as 1,000% when low values of  $W$  are found. If the value of  $V$  or  $W$  falls outside the limits of the chart, divide both  $V$  and  $W$  by the same proper number to bring them into the range of the chart and read the potency from the radial lines as before. If 11.4  $Rw$  is greater than  $W$ , the slope of the assay does not differ significantly from zero and the assay is invalid. (The figure 11.4 was obtained by use of Student's "t" test for determining the significance of a slope.)

In certain laboratories it has been noted that with the 4 to 1 ratio, involving concentrations of 0.25 unit for the low dose, the zone of inhibition given by this dose may either be too small for accurate reading or have edges which are poorly defined. In order to permit the use of a higher concentration of penicillin for the low dose the third of the attached charts (Chart 3) may be used in assays in which the ratio of doses is 2 to 1, i. e., the high dose ( $s_h$ ) is twice the low dose ( $s_L$ ). As in the preceding chart (Chart 1), if the potency lies outside the limits of 50% to 150% the assay should be repeated, using a lower or higher dilution. The potencies beyond these limits are to be used for rough estimation purposes only. These extensions can also be used for four (or more) plate assays if both  $V$  and  $W$  are divided by the same proper number to bring them into the

range of the chart. The error of the assay using the ratio of doses 2 to 1 is estimated by using the nomograph (Chart 2) in the same manner as described for the 4 to 1 ratio of doses. However, the resultant error of the assay derived in this manner must be divided by 2 to give the correct error of the assay for the 2 to 1 ratio of doses.

(3) The potency of sodium penicillin, calcium penicillin, and potassium penicillin is satisfactory when assayed by the method described in paragraphs (f) or (h) of this section if the immediate containers are represented to contain:

200,000 units or less and contain 85% or more of the number of units so represented;

More than 200,000 units and contain 90% or more of the units so represented.

(h) The potency of a sample may also be determined by the standard curve technique using a single dose of standard and unknown.

Dilute the sample to be tested to 1.0 unit per ml. (estimated) in 1% phosphate buffer pH 6.0. Place six cylinders on the inoculated agar surface so that they are at approximately 60° intervals on a 2.8 mm radius. Use three plates for each sample. Fill 3 cylinders on each plate with the 1.0 unit/ml standard and 3 cylinders with the 1.0 unit/ml (estimated) sample, alternating standard and sample. Incubate the plates for 16 to 18 hours at 37° C. and measure the diameter of each circle of inhibition. At the same time prepare a standard curve using concentrations of the standard of 0.6, 0.7, 0.8, 0.9, 1.0, 1.1, 1.2, 1.3, 1.4, and 1.5 units/ml in sterile 1% phosphate buffer pH 6.0. Use three plates for the determination of each point on the curve, a total of 27 plates. On each of three plates fill 3 cylinders with the 1.0 unit/ml standard and the other 3 cylinders with the concentration under test. Thus there will be 81 one unit determinations and 9 determinations for each of the other points on the curve. After the plates have incubated read the diameters of the circles of inhibition. Average the readings of 1.0 unit/ml concentration and the readings of the point tested for each set of 3 plates and average also all 81 readings of the 1.0 unit/ml concentration. The average of the 81 readings of the 1.0 unit/ml concentration is the correction point for the curve. Correct the average value obtained for each point to the figure it would be if the 1.0 unit/ml reading for that set of three plates were the same as the correction point. Thus, if in correcting the 0.8 unit concentration, the average of the 81 reading of the 1 unit concentration is 20.0 mm, and the average of the one unit concentration of this set of 3 plates is 19.8 mm, the correction is 0.2 mm. If the average reading of the 0.8 unit concentration of these same 3 plates is 19.0 mm the corrected value is then 19.2 mm.

Plot these corrected values including the average of the 1 unit/ml concentration on 2 cycle semi-log paper using the concentration in units per ml as the ordinate (the logarithmic scale) and the diameter of the zone of inhibition as the abscissa. Draw the standard curve through these points. The 10 points selected to determine the curve are arbitrary and should be so chosen that the limits of the curve will fill the needs of the laboratory. However the potency of the sample under test should fall in the interval of from 60% to 150% of the correction point of the standard curve.

To estimate the potency of the sample average the zone readings of the standard and the zone readings of the sample on the three plates used. If the sample gives a larger average zone size than the average of the standard, add the difference between them to the 1.0 unit zone size on the standard curve. If the average sample value is lower than the standard value, subtract the difference between them from the 1.0 unit value on the curve. From the curve read the potencies corresponding to these corrected values of zone sizes.

**§ 141.2 Sodium penicillin, calcium penicillin, and potassium penicillin; sterility—(a) Culture medium.** (1) Prepare fluid thioglycolate medium as follows:

1-cystine (reagent)	0.75 gm.
Sodium chloride	2.50 gms.
Dextrose (anhydrous)	5.00 gms.
Granular agar (less than 15% moisture by weight)	0.75 gm.
Yeast extract (dehydrated)	5.00 gms.
Pancreatic digest of casein	15.00 gms.
Sodium thioglycolate	0.50 gm.

(Thioglycolic acid may be used if a sample of it, when converted to the sodium salt by means of an equivalent weight of sodium hydroxide complies with the requirements of subparagraph (2) (iii) of this section.) 0.1% solution resazurine (freshly prepared).

Distilled water, q. s. 1.00 liter.

Mix in a mortar all of the dry ingredients except the sodium thioglycolate in the order given above. Mix into a smooth paste with a portion of the distilled water and dissolve by heating in flowing steam or by boiling; dissolve the sodium thioglycolate therein and adjust the reaction with sodium hydroxide so that after sterilization the pH is  $7.1 \pm 0.1$ . Clarify the hot medium by filtration and transfer into 150 x 20 mm tubes, using 15 ml per tube; sterilize for 18 to 20 minutes at 121° to 123° C. (15 to 17 pounds pressure). Store in a cool place. If a pinkish color develops during storage and extends more than one-half inch below the surface of the medium, heat for 5 minutes in flowing steam. One reheating only is permissible. Cool before using.

In lieu of preparing the medium from the individual ingredients specified above, it may be made from a dehydrated mixture which, when reconstituted with distilled water, has the same composition as such medium and has growth-promoting, buffering, and oxygen tension controlling properties equal to or better than those of such medium.

In the preparation of the medium, from either the individual ingredients or any dehydrated mixture, avoid contamination with calcium.

(2) Medium ingredients.

(i) The yeast extract used conforms to the specifications prescribed in § 141.1 (b) (3) (i).

(ii) The pancreatic digest of casein used conforms to the specifications prescribed in § 141.1 (b) (3) (ii).

## FEDERAL REGISTER, Thursday, October 17, 1946

(iii) The sodium thioglycollate used in a white crystalline powder with a slight but characteristic odor, not of sulfides. Do not use it if it is yellowish or darker. Seventy grams dissolve in 100 ml water. It is slightly soluble in 95% ethyl alcohol or methanol. It meets the following tests for identity: To a very small amount add 5 ml of water, one drop of ferric chloride, then 2 ml of dilute ammonium hydroxide. An intense Burgundy color indicates the presence of the thioglycollate group. Some other organic sulfhydryl compounds also give this test. It gives an intense and persistent golden yellow flame on ignition.

It meets the following test for purity: Accurately weigh 0.2 to 0.3 gm and dissolve in 50 ml of distilled water and 2 ml of 6N hydrochloric acid. Boil 2 minutes to destroy any inorganic sulfides present, cool and titrate with tenth-normal standard iodine solution, using 1% starch solution as indicator. Calculate the percentage of sodium thioglycollate as follows:

$$\begin{aligned} \% \text{ SHCH}_2\text{COONa} = \\ \text{Normality of I} \times \text{ml used} \times 114.10 \\ \text{Weight of sample} \times 10 \end{aligned}$$

Its purity should be not less than 75% at the time of use.

It is free from sulfides, as determined by dissolving about 0.5 gm in 10 to 20 ml of water and 2 to 3 ml of concentrated hydrochloric acid, bringing to a boil, and placing a strip of paper moistened with lead acetate solution in the vapors. No darkening should take place.

Preserve sodium thioglycollate in tightly stoppered bottles in a cool, dry place protected from light. Special care should be taken to avoid contamination with water.

(iv) The resazurin used is in fine crystals of brownish-purple color. One gram dissolves in 100 ml water. Its solution has a deep violet color. Its dye content is not less than 90%. No other dye, except traces of resorufin, is present; the remainder consists only of sodium carbonate or sodium acetate or both, and moisture.

Hydrogen sulfide and other compounds with the  $-SH$  group decolorize aqueous solutions of resazurin. On shaking the decolorized solution in the presence of air a rose color develops (dihydro-resorufin to resorufin).

An aqueous solution shows maximum absorption at 605 millimicrons on the spectrophotometer.

(b) *Conduct of test.* Dissolve the sample to be tested in sufficient sterile, freshly prepared solution of 1:300 hydroxylamine hydrochloride, adjusted to pH 6.0 with sodium hydroxide, so that each ml contains approximately 5,000 to 10,000 units. Shake vigorously. Let stand one hour, transfer 1 ml aseptically to each of four tubes containing 15 ml of fluid thioglycollate medium. Inoculate one of these tubes with 1.0 ml of a 1:1000 dilution of an 18 to 24 hour broth culture of *S. aureus* 209-P, and incubate all four tubes for four days at 37° C. The inoculated tube should show growth at the end of four days; if so and no other tube shows growth, the sample is sterile.

**§ 141.3 Sodium penicillin, calcium penicillin, and potassium penicillin; py-**

*rogens*—(a) *Test animal.* Use healthy rabbits, weighing 1,500 gms or more, which have been maintained for at least one week on a uniform unrestricted diet and have not lost weight during this period. For subsequent tests, animals utilized for previous tests may be used after a rest period of not less than two days. Use a clinical rectal thermometer after it has been tested in a rabbit to determine the time required to reach maximum temperature. (Other recording devices of equal sensitivity are acceptable.) Insert the thermometer or other recording device beyond the internal sphincter and allow it to remain a sufficient time to reach maximum temperature as determined above. Make four rectal temperature readings on each of the animals to be used in the test at 2-hour intervals, 1 to 3 days before such use (this may be omitted for any animal that has been used in such tests during a preceding period of two weeks). House the test animals in individual cages and protect them from disturbances likely to cause excitement. Exercise particular care to avoid exciting the animals on the day of taking the control temperatures and on the test day. Maintain the animals in an environment of uniform temperature ( $\pm 5^\circ F.$ ) at all times.

(b) *Conduct of test.* Heat all syringes and needles to be used in a muffle furnace at 250° C. for not less than 30 minutes to render them pyrogen-free and sterile. Perform the test in a room held at the same temperature as that in which the animals are housed. During the test restrain the animals in individual stocks. Withhold all food from one hour before the first temperature reading until after the final reading of the day. Take a control temperature reading not more than 15 minutes after the animal is removed from the cage. Use three animals for each test, but do not use those with control temperatures of 38.8° C. or under and 39.9° C. or over. Dilute with pyrogen-free sterile distilled water to a concentration of 2,000 units per ml the stock solution prepared under § 141.1 (d) and warm to approximately 37° C. Inject 2,000 units (estimated) per kg. of rabbit intravenously through an ear vein within 15 minutes subsequent to the control temperature reading. Read temperatures one hour after injection and each hour thereafter until three readings have been made. The sample is nonpyrogenic if when so tested no animal shows a rise in any of the temperature readings, after injection, of 0.6° C. or more above the control temperature of such animal. If only one animal shows such a rise in temperature, or if the sum of the temperature rises of the three animals exceeds 1.4° C., repeat the test on five additional animals. The sample is nonpyrogenic if not more than one of these five animals shows a rise in temperature of 0.6° C. or more above the control temperature of such animal.

**§ 141.4 Sodium penicillin, calcium penicillin, and potassium penicillin; toxicity.** Inject intravenously each of five mice, within the weight range of 18 to 25 grams, with 0.5 ml of a solution of the sample prepared by diluting with sterile distilled water to approximately 4,000

units per ml a portion of the stock solution referred to in § 141.1 (d). The injection should be made over a period of not more than 5 seconds. If no animal dies within 48 hours, the sample is non-toxic. If one or more animals die within 48 hours, repeat the test with five unused mice weighing 20 grams ( $\pm 0.5$  gm) each; if all animals survive the repeat test, the sample is nontoxic.

**§ 141.5 Sodium penicillin, calcium penicillin, and potassium penicillin**—(a) *Moisture.* In an atmosphere of about 10% relative humidity, transfer 30 to 50 mgm of the finely powdered sample to a tared weighing bottle or weighing tube equipped with a capillary-tube stopper, the capillary having an inside diameter of 0.20 to 0.25 mm. Weigh the bottle or tube and place it in a vacuum oven, without removing the stopper, and dry at a temperature of 60° C. and a pressure of 5 mm of mercury or less for three hours. At the end of the drying period, fill the vacuum oven with air dried by bubbling it through sulfuric acid; place weighing bottles or tubes in a desiccator over phosphorous pentoxide, allow to cool to room temperature, and reweigh. Divide the loss in weight by the weight of the sample and multiply by 100 to obtain the percentage of moisture.

(b) *pH.* Dilute the sample to be tested with carbon dioxide free distilled water so that the resulting solution contains 5,000 units per ml. Determine the pH of this solution at 25° C. using a pH meter equipped with a glass and a calomel electrode.

(c) *Clarity.* Add to the sample by means of a thoroughly cleansed hypodermic needle and syringe enough of the diluent to produce a solution containing 10,000 units per ml. The resulting solution must be substantially free of any turbidity or undissolved material which can be detected readily without accessory magnification (except such optical correction as may be required to establish normal vision), when the solution is examined against a black and white background with a bright light from a 100 watt lamp or equivalent lighting.

(d) *Microscopical test for crystallinity of sodium penicillin and potassium penicillin.* Examine the sodium penicillin or potassium penicillin, mounted in mineral oil, by means of a polarizing microscope. Crystalline sodium penicillin or crystalline potassium penicillin show resolvable particles which reveal the phenomena of birefringence (interference colors) and extinction positions on revolving the microscope stage. Crystalline sodium penicillin or crystalline potassium penicillin also reveal diagnostic refractive indices when examined by the immersion method.

(e) *Stability of crystalline sodium penicillin and crystalline potassium penicillin.* Store crystalline sodium penicillin and crystalline potassium penicillin in unstoppered vials for six days at a temperature of 100° C. (212° F.). At the end of this period it does not show a loss of more than 10% of its potency when determined as directed in § 141.1.

**§ 141.6 Sodium penicillin, calcium penicillin, and potassium penicillin; penicillin X.** Dissolve the contents of a 100,000 unit ampul in about 20 ml of ice cold

distilled water. Transfer quantitatively to a 100 ml volumetric flask, rinsing the ampul with small portions of ice cold water and make to 100 ml. Pipette a 50 ml aliquot into a 125 ml separatory funnel, then add 50 ml of cold chloroform and shake the mixture. Add an amount of approximately  $1\text{NH}_2\text{SO}_4$  to bring the pH of the aqueous layer to 2.0. (The amount of  $1\text{NH}_2\text{SO}_4$  to be added is calculated by titrating a separate 5 ml aliquot of the 100 ml dilution to pH 2.0 using a suitable pH meter.) Shake the mixture vigorously for one minute. Allow the layers to separate and filter the chloroform through a small pecten of cotton, moistened with chloroform, into a second 125 ml separatory funnel. Shake the acid aqueous solution with a second 50 ml of cold chloroform and, when the layers have separated, withdraw the chloroform through the same filter into the second separatory funnel. Immediately neutralize the acid aqueous solution, containing the penicillin X, with 0.1N NaOH to pH 6.5 to 7.0 using the pH meter and make to 100 ml with water. Make appropriate dilutions in 1% phosphate buffer at pH 6.0 and assay as directed in § 141.1 (f) or (h). Shake the combined chloroform extracts, containing any penicillin G, etc., with small successive portions of cold  $\text{NaHCO}_3$  solution (0.1%), until the combined  $\text{NaHCO}_3$  extracts give a pH of 7.0, and make to 100 ml with water. Make the proper estimated dilutions in 1% phosphate buffer at pH 6.0. Assay these last dilutions as directed in § 141.1 (f) or (h). The potency of the penicillin X fraction plus the potency of the penicillin G, etc., fraction should approximate that of the potency of the original solution. All of the above extractions should be carried out in a cold room.

**§ 141.7 Penicillin in oil and wax—(a) Potency.** Proceed as directed in § 141.1 except paragraph (g) (3) thereof and, in lieu of the directions in paragraph (d), prepare sample as follows:

Liquefy the sample by warming, thoroughly mix, and withdraw 1.0 ml using a 3 ml sterile syringe equipped with an 18 gauge needle. Transfer to a separatory funnel containing approximately 50 ml of peroxide-free ether. Shake the separatory funnel vigorously to bring about complete mixing of the material with the ether. Shake with a 25-ml portion of 1% phosphate buffer at pH 6.0. Remove the buffer layer and repeat the extraction with three 25-ml quantities of buffer. Combine the extracts and make the proper estimated dilutions in 1% phosphate buffer at pH 6.0. If the label represents the potency of the penicillin in oil and wax as 200,000 units per ml or less it is satisfactory if it is 85% or more of the potency so represented; if represented as more than 200,000 units per ml, it is satisfactory if it is 90% or more of the potency so represented.

(b) **Sterility.** Proceed as directed in § 141.2, except that sufficient penicillinase is added to the thioglycollate medium to inactivate the penicillin added in the test and, in lieu of the directions in the first three sentences of paragraph (b), proceed as follows:

Liquefy the sample by warming and add aseptically approximately 1.0 ml to

9.0 ml of sterile warm cottonseed oil. Shake vigorously. Transfer 1.0 ml aseptically to each of four tubes containing 15 ml of fluid thioglycollate medium with added penicillinase.

(c) **Moisture.** Weigh 1.0 ( $\pm 0.2$ ) gm of the sample into a shallow glass moisture dish. Dry to constant weight in a vacuum oven at a uniform temperature not less than  $20^\circ\text{C}$ . nor more than  $25^\circ\text{C}$ . above the boiling point of water at the working pressure, which does not exceed 100 mm of mercury. Constant weight is attained when successive dryings for 1 hour periods show additional loss of not more than 1.0%. Cool the sample in an efficient desiccator for 30 minutes before reweighing.

**§ 141.8 Penicillin ointment—(a) Potency.** Proceed as directed in § 141.1, except paragraph (g) (3) thereof and, in lieu of the directions in paragraph (d), prepare the sample as follows:

Accurately weigh the tube and contents and squeeze 0.5 to 1.0 gm into a separatory funnel containing approximately 50 ml of peroxide-free ether. Reweigh the tube to obtain weight of ointment used in the test. Shake ointment and ether until homogeneous. Shake with a 25 ml portion of 1% phosphate buffer at pH 6.0. Remove the buffer layer and repeat the extraction with a second 25 ml quantity of buffer. Combine the two buffer portions. Make the proper estimated dilutions in 1% phosphate buffer at pH 6.0. The potency of penicillin ointment is satisfactory if it contains not less than 85% of the number of units per gram it is represented to contain.

(b) **Moisture.** Proceed as directed in § 141.7 (c).

(c) **Microorganism count.** Prepare nutrient agar as directed in § 141.1 (b) (1). Cool to approximately  $48^\circ\text{C}$ . and add sufficient sterile penicillinase solution so that each 20 ml will contain enough to completely inactivate the amount of penicillin contained in the sample under test. Pour 20 ml of the agar-penicillinase mixture into Petri dishes and allow to harden. The Petri dishes are warmed to  $37^\circ\text{C}$ . just before use. Accurately weigh the tube and contents, place in incubator at  $37^\circ\text{C}$ . for one hour, then squeeze from 0.1 to 0.5 gm of the ointment onto the agar surface. Reweigh tube to obtain weight of ointment used in test. Spread the ointment evenly over the surface of the agar with a sterile glass rod, invert, and place in a  $37^\circ\text{C}$ . incubator for 48 hours. Count the number of colonies appearing on the plates and calculate therefrom the number of viable microorganisms per gram of ointment.

**§ 141.9 Tablets buffered penicillin—(a) Potency.** Proceed as directed in § 141.1, except paragraph (g) (3) thereof and, in lieu of the directions in paragraph (d), prepare sample as follows:

Place 12 tablets in a mortar and add approximately 20 ml. of 1% phosphate buffer at pH 6.0. Disintegrate the tablets by grinding with a pestle. Transfer with the aid of small portions of the buffer solution to a 500 ml. volumetric flask and make to 500 ml. by adding sufficient phosphate buffer. Make the proper estimated dilutions in 1% phosphate buf-

fer at pH 6.0. The average potency of tablets buffered penicillin is satisfactory if it contains not less than 85% of the number of units per tablets it is represented to contain.

(b) **Moisture.** Proceed as described in § 141.5 (a).

**§ 141.11 Penicillin with aluminum hydroxide gel—(a) Sodium penicillin, calcium penicillin, and potassium penicillin.** Proceed as directed in §§ 141.1, 141.2, 141.4, and 141.5 (a) and (b) and if crystalline penicillin (d) and (e).

(b) **Aluminum hydroxide gel.** Thoroughly shake the aluminum hydroxide gel and transfer aseptically 1.0 and 0.1 ml. portions in triplicate to sterile Petri dishes. Pour into each Petri dish 20 ml. of nutrient agar, described in § 141.1 (b) (1), which has been melted and cooled to  $48^\circ\text{C}$ . Thoroughly mix the aluminum hydroxide and melted agar. Allow the agar to solidify, invert the Petri dishes, and incubate for 48 hours at  $37^\circ\text{C}$ . Count the number of colonies appearing on the plates and calculate therefrom the number of viable bacteria per ml. of the aluminum hydroxide gel.

**§ 141.12 Penicillin troches—(a) Potency.** Proceed as directed in § 141.1, except paragraph (g) (3) thereof and, in lieu of the directions in paragraph (d), prepare sample as follows:

If the troche does not contain a masticatory substance, proceed as directed in § 141.9 (a). If the troche contains a masticatory substance, place five troches in a separatory funnel containing 75 ml of n-hexane; shake until the troches are dissolved. Shake with a 25 ml portion of 1% phosphate buffer at pH 6.0. Remove the buffer layer and repeat the extraction with three 25 ml quantities of buffer. Combine the extracts and make the proper estimated dilutions in 1% phosphate buffer at pH 6.0. The average potency of the troche is satisfactory if it contains not less than 85% of the number of units per troche it is represented to contain.

(b) **Moisture.** Proceed as directed in § 141.5 (a) or if it contains a masticatory substance as directed in § 141.7 (c).

**§ 141.13 Penicillin dental cones—(a) Potency.** Proceed as directed in § 141.1, except paragraph (g) (3) thereof and, in lieu of the directions in paragraph (d), prepare sample using 5 cones as directed in § 141.9 (a). The average potency of the cone is satisfactory if it contains not less than 85% of the number of units per cone it is represented to contain.

(b) **Microorganism count.** Accurately weigh from 3 to 5 cones in a small test tube and add sufficient sterile penicillinase, contained in a total volume of 2 ml to inactivate the penicillin present. Let stand one hour. Thoroughly shake the mixture and transfer, aseptically, the entire amount to a sterile Petri dish. Pour into the Petri dish 20 ml of nutrient agar, described in § 141.1 (b) (1) which has been melted and cooled to  $48^\circ\text{C}$ . Thoroughly mix, allow the agar to solidify, invert the Petri dish, and incubate for 48 hours at  $37^\circ\text{C}$ . Count the number of colonies appearing on the plates and calculate therefrom the number of viable microorganisms per gram,

(c) *Moisture.* Proceed as directed in § 141.5 (a).

§ 141.14 *Penicillin with vasoconstrictor*—(a) *Calcium Penicillin.* Proceed as directed in §§ 141.1, 141.2, 141.3, 141.4, and 141.5 (a), (b), and (c).

§ 141.15 *Penicillin for surface application*—(a) *Potency.* Proceed as directed in § 141.9 (a) using the contents of 12 immediate containers.

(b) *Microorganism count.* Accurately weigh approximately 0.5 gram in a small test tube and add sufficient sterile penicillinase contained in a total volume of 2 ml to inactivate the penicillin present. Let stand 1 hour. Thoroughly shake the mixture and transfer, aseptically, the entire amount to a sterile Petri dish. Pour into the Petri dish 20 ml of nutrient agar, described in § 141.1 (b) (1), which has been melted and cooled to 48° C. Thoroughly mix, allow the agar to solidify, invert the Petri dish, and incubate for 48 hours at 37° C. Count the number of colonies appearing on the plates and calculate therefrom the number of viable microorganisms per gram.

(c) *Moisture.* Proceed as directed in § 141.5 (a).

§ 141.16 *Tablets alum precipitated penicillin*—(a) *Potency.* Proceed as directed in § 141.9 (a).

(b) *Moisture.* Proceed as directed in § 141.5 (a).

§ 141.17 *Penicillin sulfonamide powder*—(a) *Potency.* Proceed as directed in § 141.9 (a) using the contents of 12 immediate containers.

(b) *Moisture.* Proceed as directed in § 141.5 (a).

(c) *Sterility.* Proceed as directed in § 141.2 except that sufficient penicillinase is added to the thioglycollate medium to inactivate the penicillin added in the test and in lieu of the directions in the first three sentences of paragraph (b) proceed as follows:

Suspend aseptically approximately one fourth of the sample to be tested (about 0.5 gm) into each of four tubes containing 15 ml of fluid thioglycollate medium with added penicillinase.

The foregoing order shall become effective on the sixtieth day after the date of publication in the FEDERAL REGISTER.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it is essentially a compilation of all existing regulations heretofore promulgated and published in Part 141, and since it is designed primarily for the convenience of the affected industry in collaboration with which the regulations were originally drawn.

Dated: October 11, 1946.

[SEAL] MAURICE COLLINS,  
Acting Administrator.  
[F. R. Doc. 46-18660; Filed, Oct. 16, 1946;  
8:46 a. m.]

#### PART 146—CERTIFICATION OF BATCHES OF PENICILLIN-CONTAINING DRUGS

By virtue of the authority vested in the Federal Security Administrator by the provisions of sections 507 and 701

(a) of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 1055, as amended by 59 Stat. 463; 21 U. S. C., Sup. V, 357; 21 U. S. C. 371 (a)), the regulations for the certification of batches of penicillin-containing drugs (10 F. R. 11227), as amended, are hereby repealed, and the following regulations substituted therefor:

Sec.

- 146.1 Definitions and interpretations.
- 146.2 Requests for working standard and certification; information and samples required.
- 146.3 Certification.
- 146.4 Conditions on the effectiveness of certificates.
- 146.5 Records of distribution.
- 146.6 Authority to refuse certification service.
- 146.7 New penicillin products.
- 146.8 Fees.
- 146.18 Exemptions for labeling.
- 146.19 Exemptions for storage.
- 146.20 Exemptions for processing.
- 146.21 Exemptions for repacking.
- 146.22 Exemptions for manufacturing use.
- 146.23 Exemptions for investigational use.
- 146.24 Sodium penicillin, calcium penicillin, potassium penicillin.
- 146.25 Penicillin in oil and wax.
- 146.26 Penicillin ointment.
- 146.27 Tablets buffered penicillin.
- 146.29 Penicillin with aluminum hydroxide gel.
- 146.30 Penicillin troches.
- 146.31 Penicillin dental cones.
- 146.32 Penicillin with vasoconstrictor.
- 146.33 Penicillin for surface application.
- 146.34 Tablets alum precipitated penicillin.
- 146.36 Penicillin sulfonamide powder.

AUTHORITY: §§ 146.1-146.35, inclusive are issued under secs. 507 and 701 (a), 52 Stat. 1040, as amended by 59 Stat. 463; 21 U. S. C., Sup. V, 357; 21 U. S. C. 371 (a).

#### DEFINITIONS

§ 146.1 *Definitions and interpretations.* For the purposes of the regulations under this part:

(a) Each of the several antibiotic substances (e. g. penicillin F, penicillin G, penicillin X) produced by the growth of *Penicillium notatum* or *Penicillium chrysogenum*, and each of the same substances produced by any other means, is a kind of penicillin.

(b) The term "master standard" means a specific lot of crystalline sodium penicillin G (sodium penicillin II) which is designated by the Commissioner as the standard of comparison in determining the potency of the working standard.

(c) The term "unit" means a penicillin activity contained in 0.6 microgram of the master standard; the term "potency" means the number of such units in a specified quantity of a substance.

(d) The term "working standard" means a specific lot of a homogeneous preparation of one or more penicillin salts, with or without diluents, the potency of which preparation has been determined by comparison with that of the master standard, and which preparation has been designated by the Commissioner as the working standard for use in determining the potency of drugs subject to the regulations in this part.

(e) The term "batch" means a specific homogeneous quantity of a drug.

(f) The term "batch mark" means an identifying mark or other identifying device assigned to a batch by the manufacturer or packer thereof.

(g) The term "Commissioner" means the Commissioner of Food and Drugs and any other officer of the Food and Drug Administration whom he may designate to act in his behalf for the purposes of the regulations in this part.

(h) The term "U. S. P." means the Pharmacopoeia of the United States, Twelfth Revision, including supplements thereto. The term "N. F." means the National Formulary, Seventh Edition, including supplements thereto.

(i) The term "manufacture" does not include the use of a drug as an ingredient in compounding any prescription issued in his professional practice by a physician, dentist, or veterinarian licensed by law to administer or apply such drug.

(j) All statements, samples, and other information and materials submitted in connection with a request for certification shall be considered to be a part of such request.

(k) The definitions and interpretations of terms contained in section 201 of the act shall be applicable to such terms when used in the regulations in this part.

(l) Except as specifically provided by §§ 146.8 to 146.23, inclusive, no provision of any section in this part shall be construed as exempting any drug from any applicable provision of the act or other regulation thereunder.

(m) The regulation in Part 141 of this chapter prescribing tests and methods of assays shall not be construed as preventing the Commissioner from using any other test or method of assay in his investigations to determine whether or not:

(1) A request for certification contains any untrue statement of a material fact; or

(2) A certificate has been obtained through fraud, or through misrepresentation or concealment of a material fact.

#### GENERAL PROVISIONS

§ 146.2 *Requests for working standard and certification; information and samples required.* (a) A request for certification of a batch shall be addressed to the Commissioner and shall be in a form specified by him. A request from a foreign manufacturer shall be signed by such manufacturer and by an agent of such manufacturer who resides in the United States.

(b) The initial request for certification of a batch of any drug submitted by any person shall be preceded or accompanied by a full statement of the facilities and controls used to maintain the identity, strength, quality, and purity of each batch, including a description of (1) the methods and processes used in the manufacture of the drug; (2) the tests and assays of the drug made during the manufacture of the batch and after it is packaged; and (3) the laboratory facilities used in such controls. Such initial request shall also be preceded or accompanied by the key of the batch marks used by such person and by specimens of all labeling (including specimens of all brochures and other printed matter, except readily available medical publications, referred to in such labeling) to be used for such drug. When any change is made in any such facility or control, or in any such key or label-

ing, such person shall promptly submit to the Commissioner a full statement of such change or, in the case of changed labeling, specimens showing all such changes.

(c) Each sample submitted pursuant to the regulations in this part shall be addressed to the Commissioner. Its package shall be clearly identified as to its contents and shall bear the name and post-office address of the person submitting it.

(d) In addition to the information and samples specifically required to be submitted to the Commissioner by the regulations in this part, the person who requests certification of a batch shall submit such further information and samples as the Commissioner may require for the purpose of investigations to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate.

(e) Upon the request of any person, stating reasonable grounds therefor, the Commissioner shall furnish such person with a portion of the working standard.

**§ 146.3 Certification.** (a) If it appears to the Commissioner, after such investigation as he considers necessary, that:

(1) The information (including results of tests and assays) and samples required by or pursuant to the regulations in this part have been submitted, and the request for certification contains no untrue statement of a material fact; and

(2) The batch complies with such regulations and conforms to the applicable standards of identity, strength, quality, and purity prescribed by such regulations; the Commissioner shall certify that such batch is safe and efficacious for use, subject to such conditions on the effectiveness of certificates as are prescribed by § 146.4, and shall issue to the person who requested it a certificate to that effect.

(b) If the Commissioner determines, after such investigation as he considers to be necessary, that the information submitted pursuant to the regulations in this part, or the batch covered by such request, does not comply with the requirements set forth in paragraph (a) of this section for the issuance of a certificate, the Commissioner shall refuse to certify such batch and shall give notice thereof to the person who requested certification, stating his reasons for refusal.

(c) Compliance of a drug with the standards of identity, strength, quality, and purity prescribed by regulations in this part shall be determined by the tests and methods of assay prescribed for such drugs by regulations in Part 141 of this chapter.

**§ 146.4 Conditions on the effectiveness of certificates.** (a) A certificate shall not become effective:

(1) If it is obtained through fraud or through misrepresentation or concealment of a material fact;

(2) With respect to any package unless it complies with the packaging requirements, if any, prescribed by the regulations in this part which were in effect on the date of the certificate;

(3) With respect to any package unless its label and labeling bear all words, statements, and other information required by such regulations; or

(4) With respect to any package of sodium penicillin, calcium penicillin, or potassium penicillin when it is included in a packaged combination with another drug, unless such other drug complies with the requirements of such regulations.

(b) A certificate shall cease to be effective:

(1) With respect to any immediate container after the expiration date, if any, prescribed by such regulations;

(2) With respect to any immediate container when it or its seal (if such regulations require it to be sealed) is broken, or when its label or labeling ceases to conform to any labeling requirement prescribed by such regulations, except that:

(i) If the drug in such container is repacked or used as an ingredient in the manufacture of another drug, and certification of the batch thus made is requested, such certificate shall continue to be effective for a reasonable time to permit certification or destruction of such batch; or

(ii) If the drug is in a container packaged for dispensing and is used in compounding a prescription issued in his professional practice by a physician, dentist, or veterinarian licensed by law to administer or apply drugs, such certificate shall continue to be effective for a reasonable time to permit the delivery of the drug compounded on such prescription;

(3) With respect to any immediate container of sodium penicillin, calcium penicillin, or potassium penicillin when it is included in the packaged combination penicillin with aluminum hydroxide gel or a vasoconstrictor, except that when certification of the batch so included is requested such certificate shall continue to be effective for a reasonable time to permit certification of such batch which is a part of such combination;

(4) With respect to any package when the drug therein fails to meet the standards of identity, strength, quality, and purity which were in effect on the date of the certificate; except that those minor changes which occur before the expiration date and which are normal and unavoidable in good storage and distribution practice shall be disregarded;

(5) With respect to any package of sodium penicillin, calcium penicillin, or potassium penicillin included in a packaged combination with another drug, when such other drug fails to meet the requirements of such regulations; or

(6) With respect to any immediate container, if such regulations require its labeling to bear a caution against dispensing otherwise than on prescription, at the beginning of the act of dispensing or offering to dispense it otherwise than:

(i) By a physician, dentist, or veterinarian, in his professional practice, who is licensed by the law to administer drugs; or

(ii) On his prescription issued in his professional practice.

**§ 146.5 Records of distribution.** (a) The person who requested certification shall keep complete records showing each shipment and other delivery (including exports) of each certified batch or part thereof by such person or by any person subject to his control. Such records shall show the date and quantity of each such shipment or delivery and the name and post-office address of the person to whom such shipment or delivery was made, and shall be kept for not less than three years after such date.

(b) Upon the request of any officer or employee of the Food and Drug Administration, or of any other officer or employee of the United States acting on behalf of the Administrator, the person to whom a certificate is issued shall at all reasonable hours make such records available to any such officer or employee and shall accord to him full opportunity to make inventory of stocks of such batch on hand and otherwise to check the correctness of such records.

**§ 146.6 Authority to refuse certification service.** When the Administrator finds, after giving notice and opportunity for hearing, that a person has:

(a) Obtained or attempted to obtain a certificate through fraud, or through misrepresentation or concealment of a material fact;

(b) Falsified the records required to be kept by § 146.5; or

(c) Failed to keep such records or to make them available, or to accord full opportunity to make an inventory of stocks on hand or otherwise to check the correctness of such records, as required by such section, and such failure may materially impair the certification service; the Administrator will immediately suspend service to such person under the regulations in this part and will continue such suspension unless and until such person shows adequate cause why such service should be resumed.

**§ 146.7 New penicillin products.** Any request that the Administrator provide for the certification of batches of a drug for which no provision for certification is made in the existing regulations shall be in form specified by the Commissioner and shall be accompanied by:

(a) A statement of the conditions for which the person who makes such request intends such drug to be used, and adequate directions for use in each such condition;

(b) Full reports of investigations which have been made to show whether or not such drug is safe and efficacious for use in such conditions;

(c) A full list of the articles used as components of such drug;

(d) A full statement of the composition of such drug;

(e) A full description of the methods used in, and the facilities and controls used for, the manufacture, processing, and packing of such drug;

(f) A full description of, or references to publications containing practical and accurate tests and methods of assay to determine the identity, strength, quality, and purity of such drug;

(g) Such samples of such drug and of the articles used as components thereof as the Commissioner may require; and

## FEDERAL REGISTER, Thursday, October 17, 1946

(h) Specimens of all labeling (including all brochures and other printed matter, except readily available medical publications, referred to in such labeling) proposed to be used for such drug.

**§ 146.8 Fees.** (a) Fees for the services rendered under the regulations in this part shall be such as are necessary to provide, equip, and maintain an adequate certification service.

(b) The fee for such services with respect to each batch of a drug, certification of which is provided by such regulations, is the fee prescribed in the section relating specifically to such drug, except that, in case of a supplemental request submitted pursuant to the provisions of § 146.18, the fee shall be \$2.00.

(c) When the Commissioner considers it necessary to make investigations of a new penicillin product, on which a request has been submitted in accordance with § 146.7, the fee for such service shall be the cost thereof. In such case the request shall be followed by an advance deposit in such amount as the Commissioner specifies, and thereafter such additional advance deposits shall be made as the Commissioner estimates may be necessary to prevent arrears in the payment of such fee.

(d) A person requiring continuing certification services may maintain an advance deposit of the estimated cost of such services for a two-month period. Such deposit shall be debited with fees for services rendered, but shall not be debited for any fee the amount of which is not definitely specified in these regulations unless the depositor has previously requested the performance of the services to be covered by such fee. A monthly statement for each such advance deposit shall be rendered.

(e) The unearned portion of any advance deposit shall be refunded to the depositor upon his application.

(f) All deposits and fees required by these regulations shall be paid by money order, bank draft, or certified check drawn to the order of the Treasurer of the United States, collectible at par, at Washington, D. C.

(g) All earned fees shall be deposited in the Treasury of the United States to the credit of Miscellaneous Receipts, Federal Security Agency.

**NOTE:** §§ 146.9 to 146.17, inclusive, reserved for future general provisions and exemptions.

**§ 146.18 Exemptions for labeling.** (a) Except as provided by paragraphs (c) and (d) of this section, a shipment or other delivery of a drug which is to be labeled at an establishment located elsewhere than at the place of manufacture shall be exempt, during the time of introduction into and movement in interstate commerce and the time of holding in such establishment, from the requirements of section 502 (1) of the act if the labeling of each shipping container bears the batch mark of the drug and the number of units per package, and if the person who introduced such shipment or delivery into interstate commerce holds a permit from the Commissioner authorizing shipment for labeling in such establishment.

(b) (1) An application for such a permit shall be in a form specified by the Commissioner, and shall give the name and location of the establishment in which such labeling is to be done.

(2) In case the applicant is the operator of such establishment, the application shall include a written agreement signed by him that he will request certification of each batch from which any shipment or delivery is made to such establishment unless it is exempt under section 801 (d) of the act or § 146.23; that he will not remove any of such drug from such establishment unless it complies with section 502 (1) of the act or is so exempt, or if certification is refused, unless it is returned within a reasonable time to permit reprocessing and certification, destruction, or such exemption at the establishment where it was manufactured; that he will keep complete records showing the date, quantity, and batch mark of each such shipment and delivery and the disposition thereof; that he will make such records available to any officer or employee of the Food and Drug Administration at any reasonable hour within three years after the date of such disposition; and that he will accord full opportunity to such officer or employee to make inventories of stocks on hand and otherwise check the correctness of such records.

(3) In case the applicant is not the operator of such establishment such application shall include or be accompanied by:

(i) A written agreement signed by the applicant that he will request certification of each batch from which any shipment or delivery is made to such establishment unless it is exempt under section 801 (d) of the act or § 146.23; that he will keep complete records showing the date, quantity, and batch mark of each such shipment and delivery; and that he will make such records available to any officer or employee of the Food and Drug Administration at any reasonable hour within three years after the date of such shipment or delivery; and

(ii) A written agreement signed by the operator of such establishment that he will submit a request, supplemental to that of the applicant, for the certification of each batch or portion thereof comprised in any such shipment or delivery received by him unless it is exempt under section 801 (d) of the act or § 146.23; that he will specify in his request the number of packages of each size in such shipment or delivery, the batch mark thereof, and the batch mark he will use therefor; that the batch marks to be used (if different from those of the applicant) will be only those of which the key is specified in this agreement; that the labeling to be used for such packages will be only that of which specimens are attached to this agreement (including specimens of all brochures and other printed matter, except readily available medical publications, referred to in such labeling); that when any change is made in such key or labeling he will promptly submit to the Commissioner a full statement of such change or, in the case of changed labeling, specimens showing all such changes;

that he will not remove any of such drug from such establishment unless it complies with section 502 (1) of the act or is exempt under section 801 (d) of the act or § 146.23 or, if certification is refused, unless it is returned within a reasonable time to permit reprocessing and certification, destruction, or such exemption at the establishment where it was manufactured; that he will make such records available to any officer or employee of the Food and Drug Administration at any reasonable hour within three years after the date of such disposition; and that he will accord full opportunity to such officer or employee to make inventories of stocks on hand and otherwise check the correctness of such records.

(4) When the Commissioner finds, after giving notice and opportunity for hearing, that such application contains any untrue statement of a material fact or that any provision of any such agreement has been violated he may revoke such permit.

(c) An exemption of a shipment or other delivery under paragraph (a) of this section, in case the person who introduced such shipment or delivery into interstate commerce is the operator of such establishment, shall become void ab initio at the beginning of the act of removing or offering to remove such shipment or delivery or any part thereof, before or after labeling, from such establishment unless such batch complies with section 502 (1) of the act or is exempt under section 801 (d) of the act or § 146.23 or, if certification is refused, unless such shipment or delivery is returned within a reasonable time to permit reprocessing and certification, destruction, or such exemption at the establishment where it was manufactured.

(d) An exemption of a shipment or other delivery under paragraph (a) of this section, in case the person who introduced such shipment or delivery into interstate commerce is not the operator of such establishment, shall expire at the beginning of the act of removing or offering to remove such shipment or delivery or any part thereof, before or after labeling, from such establishment unless such batch complies with section 502 (1) of the act or is exempt under section 801 (d) of the act or § 146.23 or, if certification is refused, unless such shipment or delivery, within a reasonable time, is destroyed or returned to permit reprocessing and certification, destruction, or such exemption at the establishment where it was manufactured.

**§ 146.19 Exemptions for storage.** (a) Except as provided by paragraphs (c) and (d) of this section, a shipment or other delivery of a drug which is to be stored at a warehouse located elsewhere than at the place of manufacture shall be exempt, during the time of introduction into and movement in interstate commerce and the time of holding in such warehouse, from the requirements of section 502 (1) of the act if the labeling of each shipping container bears the batch mark of the drug, and if the person who introduced such shipment or delivery

into interstate commerce holds a permit from the Commissioner authorizing shipment for storage in such warehouse.

(b) An application for such a permit shall be in a form specified by the Commissioner, and shall give the name and location of the warehouse in which such drug is to be stored. Such application shall be accompanied by:

(1) A written agreement signed by the applicant that he will request certification of each batch thereof unless it is exempt under section 801 (d) of the act or §§ 146.18, 146.21, or 146.22, that he will not remove any of such drug from such warehouse unless it complies with § 502 (1) of the act or is so exempt or, if certification is refused, unless it is returned within a reasonable time to permit reprocessing and certification, destruction, or such exemption at the establishment where it was manufactured; that he will keep complete records showing the date, quantity, and batch mark of each shipment and other delivery of any such drug to such warehouse, and that he will make such records available to any officer or employee of the Food and Drug Administration at any reasonable hour within three years after the date of such shipment or delivery; and

(2) A written statement signed by the operator of such warehouse showing that he has adequate facilities for such storage; such statement shall contain an agreement that he will hold each shipment or other delivery of such drug intact, under such conditions as will not cause failure of the drug to comply with the requirements for certification, that he will keep complete records showing the date of receipt by him and the quantity and batch mark of each such shipment and delivery and the disposition thereof, that he will make such records available to any officer or employee of the Food and Drug Administration at any reasonable hour within three years after the date of such disposition, and that he will accord full opportunity to such officer or employee to make inventories of stocks on hand and otherwise check the correctness of such records.

If the applicant keeps complete records showing the date, quantity, and batch mark of each shipment and other delivery of any such drug from such warehouse and the name and post-office address of the person to whom such shipment or delivery was made, the agreement to keep records of such disposals, to make such records available, and to afford opportunity for checking their correctness may be included in the applicant's agreement and omitted from that of the operator.

When the Commissioner finds, after giving notice and opportunity for hearing, that such application contains any untrue statement of a material fact or that any provision of any such agreement has been violated he may revoke such permit.

(c) An exemption of a shipment or other delivery under paragraph (a) of this section, in case the person who introduced such shipment or delivery into interstate commerce is the operator of such warehouse, shall become void ab initio at the beginning of the act of removing or offering to remove such

shipment or delivery or any part thereof from such warehouse unless such batch complies with section 502 (1) of the act or is exempt under section 801 (d) of the act or §§ 146.18, 146.21, or 146.22, or, if certification is refused, unless such shipment or delivery is returned within a reasonable time to permit reprocessing and certification, destruction, or such exemption at the establishment where it was manufactured.

(d) An exemption of a shipment or other delivery under paragraph (a) of this section, in case the person who introduced such shipment or delivery into interstate commerce is not the operator of such warehouse, shall expire at the beginning of the act of removing or offering to remove such shipment or delivery or any part thereof from such warehouse unless such batch complies with section 502 (1) of the act or is exempt under section 801 (d) of the act or §§ 146.18, 146.21, or 146.22, or, if certification is refused, unless such shipment or delivery, within a reasonable time, is destroyed, or returned to permit reprocessing and certification, destruction, or such exemption at the establishment where it was manufactured.

**§ 146.20 Exemptions for processing.**  
 (a) Except as provided by paragraphs (c) and (d) of this section, a shipment or other delivery of sodium penicillin, calcium penicillin, or potassium penicillin in concentrated aqueous solution which is to be processed at an establishment located elsewhere than at the place of manufacture, shall be exempt during the time of introduction into and movement in interstate commerce and the time of holding in such establishment from the requirements of section 502 (1) of the Act if the person who introduced such shipment or delivery into interstate commerce holds a permit from the Commissioner authorizing shipment for processing in such establishment, and each package of such solution bears the batch mark of the drug.

(b) An application for such a permit shall be in a form specified by the Commissioner and shall give the name and location of the establishment in which such processing is to be done. Such application shall be accompanied by:

(1) A written agreement signed by the applicant that he will keep complete records showing the date, quantity, potency, and batch mark of each shipment and other delivery of any such solution to such establishment, and that he will make such records available to any officer or employee of the Food and Drug Administration at any reasonable hour within three years after the date of such shipment or delivery;

(2) A written statement signed by the operator of such establishment showing that he has adequate facilities for such processing; such statement shall contain an agreement that he will keep complete records showing the date of receipt by him and the quantity and batch mark of each such shipment and delivery and the disposition thereof, that he will make such records available to any officer or employee of the Food and Drug Administration at any reasonable hour within three years after date of such disposition, and that he will accord full opportunity

to such officer or employee to make inventories of stocks on hand and otherwise check the correctness of such records; and

(3) A written agreement signed by the person who will own the drug after the processing is completed that he will request certification of each batch thereof unless it is exempt under section 801 (d) of the act or §§ 146.18, 146.19, 146.21, 146.22, or 146.23, and that he will not remove any of such drug from such establishment unless it complies with section 502 (1) of the act or is so exempt.

When the Commissioner finds, after giving notice and opportunity for hearing, that such application contains any untrue statement of a material fact or that any provision of any such agreement has been violated he may revoke such permit.

(c) An exemption of a shipment or other delivery under paragraph (a) of this section, in case the person who introduced such shipment or delivery into interstate commerce is the operator of such establishment, shall become void ab initio at the beginning of the act of removing or offering to remove such shipment or delivery or any part thereof, before or after processing, from such establishment unless the batch made from such shipment or delivery complies with section 502 (1) of the act or is exempt under section 801 (d) of the act or §§ 146.18, 146.19, 146.21, 146.22, or 146.23 or, if certification is refused, unless such shipment or delivery is reprocessed and certified or destroyed within a reasonable time.

(d) An exemption of a shipment or other delivery under paragraph (a) of this section, in case the person who introduced such shipment or delivery into interstate commerce is not the operator of such establishment, shall expire at the beginning of the act of removing or offering to remove such shipment or delivery or any part thereof, before or after processing, from such establishment unless the batch made from such shipment or delivery complies with section 502 (1) of the act or is exempt under section 801 (d) of the act or §§ 146.18, 146.19, 146.21, 146.22, or 146.23 or, if certification has been refused, unless such shipment or delivery is reprocessed and certified or destroyed within a reasonable time.

**§ 146.21 Exemptions for repacking.**  
 (a) Except as provided by paragraphs (c) and (d) of this section, a shipment or other delivery of a drug which is to be repacked at an establishment located elsewhere than at the place of manufacture shall be exempt, during the time of introduction into and movement in interstate commerce and the time of holding in such establishment from the requirements of section 502 (1) of the act if the labeling of each container bears the batch mark of the drug and the number of units per package, and if the person who introduced such shipment or delivery into interstate commerce holds a permit from the Commissioner authorizing shipment for repacking in such establishment.

(b) An application for such a permit shall be in a form specified by the Commissioner, and shall give the name and location of the establishment in which

such repacking is to be done. Such application shall be accompanied by:

(1) A written agreement signed by the applicant that he will keep complete records showing the date, quantity, and batch mark of each shipment and other delivery of any such drug to such establishment, and that he will make such records available to any officer or employee of the Food and Drug Administration at any reasonable hour within three years after the date of such shipment or delivery;

(2) A written statement signed by the operator of such establishment showing that he has adequate facilities for such repacking; such statement shall contain an agreement that he will keep complete records showing the date of receipt by him and the quantity and batch mark of each such shipment and delivery and the disposition thereof, that he will make such records available to any officer or employee of the Food and Drug Administration at any reasonable hour within three years after the date of such disposition, and that he will accord full opportunity to such officer or employee to make inventories of stocks on hand and otherwise check the correctness of such records; and

(3) A written agreement signed by the person who will own the drug after the repacking is completed that he will request certification of each batch thereof unless it is exempt under section 801 (d) of the act or §§ 146.18, 146.19, or 146.23, and that he will not remove any of such drug from such establishment unless it complies with section 502 (1) of the act or is so exempt or is returned to him for labeling or, if certification is refused, unless it is returned within a reasonable time to permit reprocessing and certification, destruction, or such exemption at the establishment where it was manufactured.

When the Commissioner finds, after giving notice and opportunity for hearing, that such application contains any untrue statement of a material fact or that any provision of any such agreement has been violated he may revoke such permit.

(c) An exemption of a shipment or other delivery under paragraph (a) of this section, in case the person who introduced such shipment or delivery into interstate commerce is the operator of such establishment, shall become void ab initio at the beginning of the act of removing or offering to remove such shipment or delivery or any part thereof, before or after repacking, from such establishment unless such batch complies with section 502 (1) of the act or is exempt under section 801 (d) of the act or sections 146.18, 146.19, or 146.23 or is returned to such person for labeling or, if certification is refused, unless such shipment or delivery is returned within a reasonable time to permit reprocessing and certification, destruction, or such exemption at the establishment where it was manufactured.

(d) An exemption of a shipment or other delivery under paragraph (a) of this section, in case the person who introduced such shipment or delivery into interstate commerce is not the operator of such establishment, shall expire at the

beginning of the act of removing or offering to remove such shipment or delivery or any part thereof, before or after repacking, from such establishment unless such batch complies with section 502 (1) of the act or is exempt under section 801 (d) of the act or sections 146.18, 146.19, or 146.23 or is returned to such person for labeling or, if certification is refused, unless such shipment or delivery, within a reasonable time, is destroyed or returned to permit reprocessing and certification, destruction, or such exemption at the establishment where it was manufactured.\*

**§ 146.22 Exemptions for manufacturing use.** (a) Except as provided by paragraphs (c) and (d) of this section, a shipment or other delivery of sodium penicillin, calcium penicillin, or potassium penicillin which is intended for use in manufacturing another drug and which is packed in containers of, not less than ten million units each shall be exempt, during the time of introduction into and movement in interstate commerce and the time of holding in the establishment where it is so used, from the requirements of Section 502 (1) of the act if it conforms to the standards prescribed therefor by the section of these regulations which is specifically applicable to such other drug, if the label of each container bears the batch mark of the drug, the number of units per package, and the date on which the latest assay of the drug was completed, and if the person who introduced such shipment or delivery into interstate commerce holds a permit from the Commissioner authorizing shipment for manufacturing use in such establishment.

(b) An application for such a permit shall be in a form specified by the Commissioner, shall give the name and location of the establishment in which such sodium penicillin, calcium penicillin, or potassium penicillin is to be used and shall be accompanied by:

(1) A written agreement signed by the applicant that he will keep complete records showing the date, quantity, and batch mark of each shipment and other delivery of any such sodium penicillin, calcium penicillin, or potassium penicillin to such establishment, and that he will make such records available to any officer or employee of the Food and Drug Administration at any reasonable hour within three years after the date of such shipment or delivery;

(2) A written statement signed by the operator of such establishment showing that he has adequate facilities for the manufacture of such other drug; such statement shall contain an agreement that he will keep complete records showing the date of receipt by him and the quantity and batch mark of each such shipment and delivery and the disposition thereof and showing the quantity and batch mark of each batch of such other drug manufactured by him and the disposition thereof; that he will make such records available to any officer or employee of the Food and Drug Administration at any reasonable hour within three years after the date of such disposition, and that he will accord full opportunity to such officer or employee to make inventories of stocks on hand

and otherwise check the correctness of such records; and

(3) A written agreement signed by the person who will own the drug after its manufacture is completed that he will request certification of each batch thereof unless it is exempt under section 801 (d) of the act or §§ 146.18, 146.19, 146.21, or 146.23, and that he will not remove any of such drug from such establishment unless it complies with § 502 (1) of the act or is so exempt.

When the Commissioner finds, after giving notice and opportunity for hearing, that such application contains any untrue statement of a material fact or that any provision of any such agreement has been violated he may revoke such permit.

(c) An exemption of a shipment or other delivery under paragraph (a) of this section, in case the person who introduced such shipment or delivery into interstate commerce is the operator of such establishment, shall become void ab initio at the beginning of the act of removing or offering to remove such shipment or delivery or any part thereof from such establishment, prior to its use in the manufacture of another drug, unless it is exempt under section 801 (d) of the act.

(d) An exemption of a shipment or other delivery under paragraph (a) of this section, in case the person who introduced such shipment or delivery into interstate commerce is not the operator of such establishment, shall expire at the beginning of the act of removing or offering to remove such shipment or delivery or any part thereof from such establishment, prior to its use in the manufacture of another drug, unless it is exempt under section 801 (d) of the act.

**§ 146.23 Exemptions for investigational use.** (a) A shipment or other delivery of a drug shall be exempt from section 502 (1) of the act if all of the following requirements are complied with:

(1) The label of such drug bears the batch mark and the statement "Caution—Limited by Federal law to investigational use only."

(2) Such shipment or delivery is made only to, and solely for investigational use by or under the direction of, an expert qualified by scientific training and experience to investigate the safety or efficacy of such drug.

(3) The person who introduced such shipment or delivery into interstate commerce keeps complete records showing the date, quantity, and batch mark of each such shipment and delivery,

(4) Such person, prior to making such shipment or delivery, obtains a statement signed by such expert showing that he has adequate facilities for the investigation to be conducted by him, and that such drug will be used solely by him or under his direction for the investigation. Such person shall keep such statement.

(5) Such person makes all documents referred to in subparagraphs (3) and (4) of this paragraph available to any officer or employee of the Food and Drug Administration at any reasonable hour within three years after the date of such shipment or delivery.

(b) An exemption of a shipment or other delivery of a drug under paragraph (a) of this section shall become void ab initio if:

(1) The person who introduced such shipment or delivery into interstate commerce fails to keep any document required to be kept by such paragraph; or

(2) Such person fails to make any such document available for inspection as required by such paragraph.

(c) An exemption of a shipment or other delivery of a drug under paragraph (a) of this section shall expire upon the use of any part of such shipment or delivery other than in accordance with the signed statement referred to in subparagraph (4) of such paragraph.

**§ 146.24 Sodium penicillin (penicillin sodium, penicillin sodium salt), calcium penicillin (penicillin calcium, penicillin calcium salt), potassium penicillin (penicillin potassium, penicillin potassium salt)—(a) Standards of identity, strength, quality, and purity.** Sodium penicillin is the sodium salt of a kind of penicillin, or a mixture of two or more such salts; calcium penicillin is the calcium salt of a kind of penicillin, or a mixture of two or more of such salts; crystalline sodium penicillin is the heat stable crystalline sodium salt of a kind of penicillin or a mixture of two or more such salts; crystalline potassium penicillin is the heat stable crystalline potassium salt of a kind of penicillin or a mixture of two or more such salts. Each such drug is so purified and dried that:

(1) Its potency is not less than 500 units per milligram, except that if it contains not less than 90 percent of a salt of penicillin X its potency is not less than 350 units per milligram;

(2) It is sterile;

(3) It is nontoxic;

(4) It is nonpyrogenic;

(5) Its moisture content is not more than 2.5% unless it is crystalline sodium penicillin or crystalline potassium penicillin in which case its moisture content is not more than 1.5 percent;

(6) Its pH in aqueous solution of 5,000 units per milliliter is not less than 5.0 and not more than 7.5; and

(7) Its solution in water for injection U. S. P., dextrose injection 5% U. S. P. or physiological salt solution U. S. P., prepared by adding 10,000 units per milliliter, is of such clarity that it is substantially free of any turbidity or undissolved material.

(b) **Packaging.** In all cases the immediate containers of sodium penicillin, calcium penicillin, and potassium penicillin shall be tight containers as defined on page 6 of the U. S. P., shall be sterile at the time of filling and closing, shall be so sealed that the contents cannot be used without destroying the seal, and shall be of such composition as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded. In case sodium penicillin, calcium penicillin, or potassium penicillin is packaged for dispensing it shall be in immediate containers of colorless transparent glass

which meet the test for containers of type I prescribed on page 568 of the U. S. P., closed by a substance through which a hypodermic needle may be introduced and withdrawn without removing the closure or destroying its effectiveness; each such container shall contain 100,000 units, 200,000 units, 500,000 units, 1,000,000 units or 5,000,000 units, and each may be packaged in combination with a container of the solvent, water for injection U. S. P., dextrose injection 5 percent U. S. P., or physiological salt solution U. S. P.

(c) **Labeling.** Each package of sodium penicillin, calcium penicillin, and potassium penicillin shall bear, on its label or labeling as hereinafter indicated, the following:

(1) On the outside wrapper or container and the immediate container:

(i) The batch mark;

(ii) The number of units in the immediate container; and

(iii) The statement "Expiration date \_\_\_\_\_", the blank being filled in with the date which is 18 months after the month during which the batch was certified, except for crystalline sodium penicillin or crystalline potassium penicillin in which case the blank is filled in with the date which is 36 months after the month during which the batch was certified; and

(iv) The statement "For Manufacturing Use", "For Repacking", or "For Manufacturing Use or Repacking" when packaged for repacking or for use as an ingredient in the manufacture of another drug, as the case may be.

(2) On the outside wrapper or container, the statement "Store in refrigerator not above 15° C. (59° F.)" or "Store below 15° C. (59° F.)", unless it is crystalline sodium penicillin or crystalline potassium penicillin in which case the storage statement may be omitted.

(3) On the circular or other labeling within or attached to the package, if it is packaged for dispensing, adequate directions for use and warnings as required by section 502 (f) of the act, including:

(i) Clinical indications;

(ii) Dosage and administration, including method of preparation and strength of solutions for different routes of injection and local application;

(iii) The conditions under which such solutions should be stored, including a reference to their instability when stored under other conditions and the statement "Sterile solution may be kept in refrigerator for one week without significant loss of potency";

(iv) Contraindications; and

(v) Untoward effects that may accompany administration, including sensitization.

If two or more immediate containers are in such package, the number of such circulars or other labeling shall not be less than the number of such containers.

(d) **Requests for certification, check tests and assays; samples.** (1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch of sodium penicillin, calcium penicillin, or potassium penicillin shall submit with his request a statement showing the batch mark, the num-

ber of packages of each size in the batch, the number of units in each package, and (unless it was previously submitted) the date on which the latest assay of the drug comprising the batch was completed. Such request shall be accompanied or followed by the results of tests and assays made by him on the batch for potency, sterility, toxicity, pyrogens, moisture, pH, clarity, and if crystalline penicillin crystallinity and heat stability. If such batch or any part thereof is to be packaged with a solvent, a statement that such solvent conforms to the requirements prescribed therefor by this section.

(2) If such batch is packaged for dispensing such persons shall submit with his request a sample consisting of one immediate container for each 5,000 immediate containers in such batch, but in no case shall such sample consist of less than 5 immediate containers or more than 12 immediate containers, except that in the case of crystalline penicillin such sample shall consist of not less than 8 immediate containers and not more than 15 immediate containers. Such sample shall be collected by taking single immediate containers, before or after labeling, at such intervals throughout the entire time of packaging the batch that the quantities packaged during the intervals are approximately equal.

(3) If such batch is packaged for repacking or for use as an ingredient in the manufacture of another drug, such person shall submit with his request a sample consisting of 5 approximately equal portions of at least 40 milligrams each taken from different parts of such batch; each such portion shall be packaged in a separate container, and in accordance with the requirements of paragraph (b) of this section.

(4) In connection with contemplated requests for certifications of batches of repacked sodium penicillin, calcium penicillin, or potassium penicillin or batches of another drug in the manufacture of which it is to be used, the manufacturer of a batch of sodium penicillin, calcium penicillin, or potassium penicillin which is to be so repacked or used may request the Commissioner to make check tests and assays on a sample of such batch taken as prescribed by subparagraph (3) of this paragraph. From the information required by subparagraph (1) of this paragraph may be omitted results of tests and assays not required for sodium penicillin, calcium penicillin, and potassium penicillin used in such other drug. The Commissioner shall report to such manufacturer results of such check tests and assays as are so requested.

(e) **Fees.** The fee for the services rendered with respect to each batch of sodium penicillin, calcium penicillin, and potassium penicillin under the regulations in this part shall be:

(1) \$4.00 for each immediate container in the sample submitted in accordance with paragraph (d) (2), (3), and (4) of this section, or if the batch is represented as a salt of penicillin X, \$6.00 for each such immediate container; and

(2) If the Commissioner considers that investigations, other than examination of such immediate containers, are neces-

sary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

**§ 146.25 Penicillin in oil wax (calcium penicillin in oil and wax, potassium penicillin in oil and wax)—(a) Standards of identity, strength, quality, and purity.** Penicillin in oil and wax is a suspension of calcium penicillin or potassium penicillin in a menstruum of refined peanut oil or sesame oil in which white wax is dispersed. Its potency is 100,000 units, 200,000 units, or 300,000 units per milliliter. The content of white wax in the menstruum before the addition of the calcium penicillin or the potassium penicillin is not less than 3 percent (w/v) if the potency is to be 100,000 units or 200,000 units per milliliter, and not less than 4.7 or more than 4.9 percent (w/v) if the potency is to be 300,000 units per milliliter. Its moisture content is not more than 1.0 percent. It is sterile. The calcium penicillin or potassium penicillin used conforms to the standards prescribed therefor by § 146.24 (a) except subparagraph (7), but if calcium penicillin its potency is not less than 750 units per milligram if it is used in making the 100,000 unit or 200,000 unit strength, and not less than 900 units per milligram if it is used in making the 300,000 unit strength. The sesame oil used conforms to the standards prescribed therefor by the N. F. The white wax used conforms to the standards prescribed therefor by the U. S. P.

(b) **Packaging.** The immediate container of penicillin in oil and wax shall be of a colorless transparent glass so closed as to be a tight container as defined on page 6 of the U. S. P., shall be sterile at the time of filling and closing, shall be so sealed that its contents cannot be used without destroying such seal, and shall be of such composition as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded. The quality of penicillin in oil and wax in each such container shall be such that as much as 1 milliliter but not more than 20 milliliters may be withdrawn therefrom, unless it is packaged for repacking.

(c) **Labeling.** Each package of penicillin in oil and wax shall bear, on its label or labeling as hereinafter indicated the following:

(1) On the outside wrapper or container and the immediate container of the package:

- (i) The batch mark;
- (ii) The number of units per milliliter of the batch;
- (iii) The statement "Expiration date \_\_\_\_\_," the blank being filled in with the date which is 18 months after

the month during which the batch was certified; and

(iv) The statement "For intramuscular or subcutaneous use only."

(2) On the outside wrapper or container, the statement "Store in refrigerator not above 15° C. (59° F.)" or "Store below 15° C. (59° F.)."

(3) On the circular or other labeling within or attached to the package, adequate directions for use and warnings as required by section 502 (f) of the Act, including:

(i) Clinical indications;

(ii) Dosage and administration, including site of injection;

(iii) Contraindications; and

(iv) Untoward effects that may accompany administration, including sensitization.

If two or more such immediate containers are in such package, the number of such circulars or other labeling shall not be less than the number of such containers.

(d) **Requests for certification: samples.** (1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch of penicillin in oil and wax shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the batch mark and (unless it was previously submitted) the date on which the latest assay of the calcium penicillin or potassium penicillin used in making such batch was completed, the number of units in each of such packages, the quantity of each ingredient used in making the batch, the date on which the latest assay of the drug comprising such batch was completed, and that the peanut oil or sesame oil and white wax used in making such batch conform to the requirements prescribed therefor by this section.

(2) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request results of the tests and assays listed after each of the following, made by him on an accurately representative sample of:

(i) The batch; potency, sterility, moisture.

(ii) The calcium penicillin or potassium penicillin used in making the batch; potency, sterility, toxicity, pyrogens, moisture, pH, and if potassium penicillin crystallinity and heat stability.

(3) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request, in the quantities hereinafter indicated, accurately representative samples of the following:

(i) The batch; one sample package of not less than 1.3 millimeters for each 500 packages in the batch, but in no case less than 3 sample packages or more than 12 sample packages, collected by taking single sample packages at such intervals throughout the entire time of packaging the batch that the quantities packaged during the intervals are approximately equal.

(ii) The calcium penicillin or potassium penicillin used in making the batch; 5 packages containing approximately equal portions of not less than 40 milli-

grams each, packaged in accordance with the requirements of § 146.24 (b).

(iii) In case of an initial request for certification, the peanut oil or sesame oil and white wax used in making the batch; one package of each containing, respectively, approximately 250 grams and 25 grams.

(4) No result referred to in subparagraph (2) (ii) of this paragraph, and no sample referred to in subparagraph (3) (ii) of this paragraph, is required if such result or sample has been previously submitted.

(e) **Fees.** The fee for the service rendered with respect to each batch of penicillin in oil and wax under the regulations in this part shall be:

(1) \$8.00 for each package in the sample submitted in accordance with paragraph (d) (3) (i), \$4.00 for each package in the samples submitted in accordance with paragraph (d) (3) (ii) and (iii) of this section; and

(2) If the Commissioner considers that investigations, other than examination of such packages, are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fees prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

**§ 146.26 Penicillin ointment (calcium penicillin ointment, penicillin ointment calcium salt)—(a) Standards of identity, strength, quality, and purity.** Penicillin ointment is calcium penicillin in an ointment base composed of wool fat, petrolatum, or white petrolatum, or any mixture of two or all of these, with or without liquid petrolatum, white wax, yellow wax, cottonseed oil, or peanut oil, oxycholesterin derivatives from wool fat, or any mixture of two or all of these. Its moisture content is not more than 1.0 percent. Its potency is not less than 250 units per gram. Its content of viable microorganisms is not more than 50 per gram. The calcium penicillin used conforms to the standards prescribed therefor by § 146.24 (a), except subparagraphs (1), (2), (4), and (7) thereof, but its potency is not less than 300 units per milligram. The peanut oil is refined; each other component of the ointment base conforms to the standards prescribed therefor by the U. S. P.

(b) **Packaging.** Penicillin ointment shall be packaged in collapsible tubes, which shall be well-closed containers as defined on page 6 of the U. S. P., and shall not be larger than the one-eighth-ounce size if such ointment is represented for ophthalmic use and in no case larger than the one-ounce size. The composition of the tubes and closure shall be such as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded.

(c) *Labeling.* Each package of penicillin ointment shall bear, on its label or labeling as hereinafter indicated, the following:

(1) On the outside wrapper or container and the immediate container:

(i) The batch mark;

(ii) The number of units per gram of the batch; and

(iii) The statement "Expiration date \_\_\_\_\_", the blank being filled in with the date which is nine months after the month during which the batch was certified.

(2) On the outside wrapper or container:

(i) The statement "Store in refrigerator not above 15° C. (59° F.)", or "Store below 15° C. (59° F.)";

(ii) Unless it is intended solely for veterinary use and is conspicuously so labeled, the statement "Caution: To be dispensed only by or on the prescription of a \_\_\_\_\_", the blank being filled in with the word "physician" or "dentist" or "veterinarian" or with any combination of two or all of these words as the case may be; and

(iii) Unless the drug is intended solely for veterinary use and is so labeled, a reference specifically identifying a readily available medical publication containing directions and precautions (including contraindications and possible sensitization) adequate for the use of such ointment; or a reference to a brochure or other printed matter containing such directions and precautions, and a statement that such brochure or printed matter will be sent on request.

(3) On the circular or other labeling within or attached to the package, if the drug is intended solely for veterinary use, directions and precautions adequate for the use of such ointment, including:

(i) Clinical indications;  
(ii) Dosage and administration;  
(iii) Contraindications; and  
(iv) Untoward effects that may accompany administration.

(d) *Requests for certification; samples.* (1) In addition to complying with the requirements of § 146.2 a person who requests certification of a batch of penicillin ointment shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the batch mark and (unless it was previously submitted) the date on which the latest assay of the calcium penicillin used in making such batch was completed, the quantity of each ingredient used in making the batch, the date on which the latest assay of the drug comprising such batch was completed, and that each component of the ointment base used conforms to the requirements prescribed therefor by this section.

(2) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request results of the tests and assays listed after each of the following, made by him on an accurately representative sample of:

(i) The batch; potency, moisture, microorganism count.

(ii) The calcium penicillin used in making the batch; potency, toxicity, moisture, pH.

(3) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request, in the quantities hereinafter indicated, accurately representative samples of the following:

(i) The batch; one package for each 5000 packages in the batch, but in no case less than 5 packages or more than 12 packages, collected by taking single packages at such intervals throughout the entire time of packaging the batch that the quantities packaged during the intervals are approximately equal.

(ii) The calcium penicillin used in making the batch; 5 packages containing approximately equal portions of not less than 40 milligrams each, packaged in accordance with the requirements of § 146.24 (b).

(iii) In case of an initial request for certification, the ingredients used in making the ointment base of the batch; one package of each containing approximately 200 grams.

(4) No result referred to in subparagraph (2) (ii) of this paragraph, and no sample referred to in subparagraph (3) (ii) of this paragraph, is required if such result or sample has been previously submitted.

(e) *Fees.* The fee for the services rendered with respect to each batch of penicillin ointment under the regulations in this part shall be:

(1) \$8.00 for each package in the samples submitted in accordance with paragraph (d) (3) (i), \$4.00 for each package in the samples submitted in accordance with paragraph (d) (3) (ii) and (iii), of this section; and

(2) If the Commissioner considers that investigations, other than examination of such packages, are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

**§ 146.27 Tablets buffered penicillin** (tablets buffered penicillin sodium, tablets buffered penicillin calcium, tablets buffered penicillin potassium, tablets buffered penicillin sodium salt, tablets buffered penicillin calcium salt, tablets buffered penicillin potassium salt)—(a) *Standard of identity, strength, quality, and purity.* Tablets buffered penicillin is sodium penicillin, calcium penicillin, potassium penicillin, or any mixture of the three salts and one or more of the buffer substances sodium citrate, sodium benzoate, citric acid, aluminum hydroxide, calcium carbonate, magnesium oxide, aluminum dihydroxyamino acetate, and sodium salts of fatty acids if in quantities sufficient to exert a buffering action. It is tableted with or without the addition of one or more suitable and harmless diluents, binders, lubricants, colorings, and flavorings. The tablet is "unscored." The potency of each tablet is not less than 50,000 units; its moisture content is not more than 1.0 percent. The sodium penicillin, calcium penicillin, and potassium penicillin used conform to

the standards prescribed therefor by § 146.24 (a), except subparagraphs (1), (2), (4), and (7) thereof, but its potency is not less than 300 units per milligram. Each other substance, if its name is recognized in the U. S. P. or N. F., conforms to the standards prescribed therefor by such official compendium.

(b) *Packaging.* Unless each tablet buffered penicillin is enclosed in foil or plastic film and such enclosure complies with the definition of tight container on page 6 of the U. S. P., except the provision that it shall be capable of tight reclosure, the immediate container shall be a tight container as so defined. The immediate container may also contain a desiccant separated from the tablets by a plug of cotton or other like material. The composition of the immediate container, or of the foil or film enclosure, shall be such as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded. The number of tablets in the immediate container is such that the total number of units therein is not less than 300,000.

(c) *Labeling.* Each package of tablets buffered penicillin shall bear, on its label or labeling as hereinafter indicated, the following:

(1) On the outside wrapper or container and the immediate container:

(i) The batch mark;  
(ii) The number of units in each tablet of the batch;

(iii) The name of each buffer substance used in making the batch; and

(iv) The statement "Expiration date \_\_\_\_\_," the blank being filled in with the date which is 18 months after the month during which the batch was certified.

(2) On the outside wrapper or container:

(i) The statement "Store in refrigerator not above 15° C. (59° F.)", or "Store below 15° C. (59° F.)".

(ii) Unless it is intended solely for veterinary use and is conspicuously so labeled, the statement "Caution: To be dispensed only by or on the prescription of a \_\_\_\_\_", the blank being filled in with the word "physician" or "dentist" or "veterinarian" or any combination of two or all of these words, as the case may be.

(iii) Unless it is intended solely for veterinary use and is so labeled, a reference specifically identifying a readily available medical publication containing directions and precautions (including contraindications and possible sensitization) adequate for the use of such tablets buffered penicillin, or a reference to a brochure, or other printed matter containing such directions and precautions, and a statement that such brochure and printed matter will be sent on request.

(3) On the circular or other labeling within or attached to the package, if it is intended solely for veterinary use, directions and precautions adequate for the use of such tablets, including:

(i) Clinical indications;  
(ii) Dosage and administration;

(iii) Contraindications; and  
 (iv) Untoward effects that may accompany administration, including those from any buffer substance present.

If two or more such immediate containers are in such package the number of such circulars or other labeling shall not be less than the number of such containers.

(d) *Requests for certification: samples.*

(1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch of tablets buffered penicillin shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the batch mark and (unless it was previously submitted) the date on which the latest assay of the sodium penicillin, calcium penicillin, or potassium penicillin used in making such batch was completed; the number of units in each tablet, the quantity of each ingredient used in making the batch, the date on which the latest assay of the drug comprising such batch was completed and a statement that each ingredient used in making the batch conforms to the requirements prescribed therefor, if any, by this section.

(2) Except as otherwise provided in subparagraph (4) of this paragraph, such person shall submit in connection with his request results of the tests and assays listed after each of the following, made by him on an accurately representative sample of:

(i) The batch; average potency per tablet, average moisture.

(ii) The sodium penicillin, calcium penicillin, and potassium penicillin used in making the batch; potency, toxicity, moisture, pH, and if crystalline penicillin crystallinity and heat stability.

(3) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request, in the quantities hereinafter indicated, accurately representative samples of the following:

(i) The batch; one tablet for each 5,000 tablets in the batch, but in no case less than 20 tablets or more than 100 tablets, collected by taking single tablets at such intervals throughout the entire time of tableting that the quantities tableted during the intervals are approximately equal.

(ii) The sodium penicillin, calcium penicillin, and potassium penicillin used in making the batch; five packages of each containing approximately equal portions of not less than 40 milligrams each, packaged in accordance with the requirements of § 146.24 (b).

(iii) In case of an initial request for certification, each buffer substance, diluent, binder, lubricant, coloring, and flavoring used in making the batch; one package of each containing approximately 5 grams.

(4) No result referred to in subparagraph (2) (ii) of this paragraph, and no sample referred to in subparagraph (3) (ii) of this paragraph, is required if such result or sample has been previously submitted.

(e) *Fees.* The fee for the services rendered with respect to each batch of tablets buffered penicillin under the regulations in this part shall be:

(1) \$1.00 for each tablet in the sample submitted in accordance with paragraph (d) (3) (i). \$4.00 for each package in the samples submitted in accordance with paragraph (d) (3) (ii) and (iii), of this section; and

(2) If the Commissioner considers that investigations, other than examination of such tablets and packages, are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

**§ 146.29 Penicillin with aluminum hydroxide gel—(a) Standards of identity, strength, quality, and purity.** Penicillin with aluminum hydroxide gel is a packaged combination of one immediate container of sodium penicillin, calcium penicillin, or potassium penicillin and one immediate container of aluminum hydroxide gel. Such sodium penicillin, calcium penicillin, or potassium penicillin conforms to the standards prescribed therefor by § 146.24 (a), except subparagraphs (1), (4), and (7) thereof, but its potency is not less than 300 units per milligram. Such aluminum hydroxide gel conforms to the standards prescribed therefor by the U. S. P., but contains not more than 50 viable microorganisms per milliliter.

(b) *Packaging.* The immediate container of the sodium penicillin, calcium penicillin, or potassium penicillin shall conform to the packaging requirements set forth in § 146.24 (b), except that it shall contain not less than 300,000 units and its closure may be one through which a hypodermic needle cannot be introduced. The immediate container of the aluminum hydroxide gel shall be a tight container as defined on page 6 of the U. S. P.; the quantity therein shall be 30 milliliters for each 100,000 units in the immediate container of sodium penicillin, calcium penicillin, or potassium penicillin.

(c) *Labeling.* Each package of penicillin with aluminum hydroxide gel shall bear on its label or labeling, as herein-after indicated, the following:

(1) On the outside wrapper or container and on the immediate container of the sodium penicillin, calcium penicillin, or potassium penicillin:

(i) The batch mark;  
 (ii) The number of units in such container; and

(iii) The statement "Expiration date \_\_\_\_\_", the blank being filled in with the date which is 18 months after the month during which the batch was certified, unless it is crystalline penicillin, in which case the blank is filled in with the date which is 36 months after the month during which the batch was certified.

(2) On the immediate container of the sodium penicillin, calcium penicillin, or potassium penicillin, the statement "Warning—Not for injection", unless it conforms to the standards and packaging requirements prescribed therefor by § 146.24 (a) and (b), except that the

immediate container may contain 300,000 units.

(3) On the outside wrapper or container of the package, the statements:

(i) "Caution: To be dispensed only by or on the prescription of a \_\_\_\_\_", the blank being filled in with the word "physician" or "dentist" or both as the case may be; and

(ii) "Store in refrigerator not above 15° C. (59° F.)", or "Store below 15° C. (59° F.)", unless it is crystalline sodium penicillin or potassium penicillin in which case the storage statement may be omitted.

(4) On the circular or other labeling within or attached to the package, directions and precautions adequate for the use of such combination, including:

(i) Clinical indications;  
 (ii) Dosage and administration, including methods of mixing the sodium penicillin, calcium penicillin, or potassium penicillin with the aluminum hydroxide gel;

(iii) The conditions under which the mixture should be stored, including a reference to the instability when stored under other conditions and the statement "The mixture may be kept in refrigerator for one week without significant loss of potency";

(iv) Contraindications; and  
 (v) Untoward effects that may accompany administration.

(d) *Requests for certification: samples.* (1) In addition to complying with requirements of § 146.2, a person who requests certification of a batch of sodium penicillin, calcium penicillin, or potassium penicillin for inclusion in such combination shall submit with his request a statement showing the batch mark of the sodium penicillin, calcium penicillin, or potassium penicillin, the number of packages thereof in such batch, the number of units in the immediate container thereof, and (unless it was previously submitted) the date on which the latest assay of the sodium penicillin, calcium penicillin, or potassium penicillin included in such combination was completed, and a statement that the aluminum hydroxide gel conforms to the requirements prescribed therefor by this section.

(2) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request results of the tests and assays made by him on an accurately representative sample of the sodium penicillin, calcium penicillin, or potassium penicillin for potency, sterility, toxicity, moisture, pH, and if crystalline penicillin, crystallinity and heat stability.

(3) If the sodium penicillin, calcium penicillin, or potassium penicillin has not been certified previously such person shall submit in connection with his request a sample of the batch consisting of one package for each 5,000 packages in the batch, but in no case less than five packages or more than 12 packages, collected by taking single packages at such intervals throughout the entire time of packaging the batch that the quantities packaged during the intervals are approximately equal.

(4) No result referred to in subparagraph (2) of this paragraph is required

if such result has been previously submitted.

(e) Fees. The fees for the services rendered with respect to each batch of sodium penicillin, calcium penicillin, or potassium penicillin for inclusion in combination with aluminum hydroxide gel under the regulations in this part shall be:

(1) \$4.00 for each immediate container in the sample submitted in accordance with paragraph (d) (3) of this section, or \$1.50 if no such sample is submitted, and

(2) If the Commissioner considers that investigations, other than examination of such containers, are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

**§ 146.30 Penicillin troches (sodium penicillin troches, calcium penicillin troches, potassium penicillin troches, penicillin troches sodium salt, penicillin troches calcium salt, penicillin troches potassium salt)—(a) Standards of identity, strength, quality, and purity.** Penicillin troches are troches composed of sodium penicillin, calcium penicillin, or potassium penicillin or a mixture of these salts and one or more suitable and harmless diluents, binders, and lubricants, with or without one or more suitable and harmless masticatory substance, colorings, and flavorings. The potency of each troche is not less than 500 units; the moisture content is not more than 1.0 percent. The sodium penicillin, calcium penicillin, and potassium penicillin used conforms to the standards prescribed therefor by § 146.24 (a) except subparagraphs (1), (2), (4), and (7) thereof, but the potency is not less than 300 units per milligram. Each other substance used, if its name is recognized in the U. S. P. or N. F., conforms to the standards prescribed therefor by such official compendium.

(b) Packaging. Unless each penicillin troche is enclosed in foil or plastic film and such enclosure complies with the definition of tight container on page 6 of the U. S. P., except the provision that it shall be capable of tight reclosure, the immediate container shall be a tight container as so defined. The immediate container may also contain a dessicant separated from the troches by a plug of cotton or other like material. The composition of the immediate container, or foil or film enclosure, shall be such as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded.

(c) Labeling. Each package of penicillin troches shall bear, on its label or labeling as hereinafter indicated, the following:

(1) On the outside wrapper or container and the immediate container:

(i) The batch mark;

(ii) The number of units in each troche of the batch; and

(iii) The statement "Expiration date \_\_\_\_\_", the blank being filled in with the date which is nine months after the month during which the batch was certified.

(2) On the outside wrapper or container:

(i) The statement "Store in refrigerator not above 15° C. (59° F.)", or "Store below 15° C. (59° F.)";

(ii) The statement "Caution: To be dispensed only by or on the prescription of a \_\_\_\_\_", the blank being filled in with the word "physician" or "dentist" or both, as the case may be; and

(iii) A reference specifically identifying a readily available medical publication containing directions and precautions (including contraindications and possible sensitization) adequate for the use of such troches; or a reference to a brochure or other printed matter containing such directions and precautions, and a statement that such brochure and printed matter will be sent on request.

(3) On the label and labeling if a masticatory substance is present, whenever the name penicillin troches appears, the word "chewing" or "masticatory" in juxtaposition with such name.

(d) Requests for certification; samples.

(1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch of penicillin troches shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the batch mark and (unless it was previously submitted) the date on which the latest assay of the sodium penicillin, calcium penicillin, or potassium penicillin used in making such batch was completed, the number of units in each troche, the quantity of each ingredient used in making the batch, the date on which the latest assay of the troches comprising such batch was completed, and a statement that each ingredient used in making the batch conforms to the requirements prescribed therefor by this section.

(2) Except as otherwise provided in subparagraph (4) of this paragraph, such person shall submit in connection with his request results of the tests and assays listed after each of the following, made by him on an accurately representative sample of:

(i) The batch; average potency per troche, average moisture.

(ii) The sodium penicillin, calcium penicillin, and potassium penicillin used in making the batch; potency, toxicity, moisture, pH, and if crystalline penicillin crystallinity and heat stability.

(3) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request, in the quantities hereinafter indicated, accurately representative samples of the following:

(i) The batch; one troche for each 5,000 troches in the batch, but in no case less than 20 troches or more than 100 troches, collected by taking single troches at such intervals throughout the entire

time the troches are being made, that the quantities made during the intervals are approximately equal.

(ii) The sodium penicillin, calcium penicillin, or potassium penicillin used in making the batch; 5 packages of each containing approximately equal portions of not less than 40 milligrams each, packaged in accordance with requirements of § 146.24 (b).

(iii) In case of an initial request for certification, each other substance used in making the batch; one package of each containing approximately 5 grams.

(4) No result referred to in subparagraph (2) (ii) of this paragraph, and no sample referred to in subparagraph (3) (ii) of this paragraph, is required if such result or sample has been previously submitted.

(e) Fees. The fee for the services rendered with respect to each batch of penicillin troches under the regulations in this part shall be:

(1) \$1.00 for each troche without masticatory substance in the sample submitted in accordance with paragraph (d) (3) (i), \$2.00 for each troche with masticatory substance in such sample, \$4.00 for each package in the samples submitted in accordance with paragraph (d) (3) (ii) and (iii), of this section; and

(2) If the Commissioner considers that investigations, other than examination of such troches, are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

**§ 146.31 Penicillin dental cones (calcium penicillin dental cones, penicillin dental cones calcium salt—(a) Standards of identity, strength, quality, and purity.** Penicillin dental cones are composed of calcium penicillin and one or more suitable and harmless diluents, binders, and lubricants, with or without one or both of the sulfonamides, sulfanilamide and sulfathiazole. The potency of each cone is not less than 500 units; the moisture content is not more than 1.0 percent; the content of viable microorganisms is not more than 50 per gram. If a sulfonamide is used its quantity is not less than 0.032 gram per cone. The calcium penicillin used conforms to the standards prescribed therefor by § 146.24 (a), except subparagraphs (1), (2), (4), and (7) thereof, but its potency is not less than 300 units per milligram. Each diluent, binder, lubricant, and sulfonamide used, if its name is recognized in the U. S. P. or N. F., conforms to the standards prescribed therefor by such official compendium.

(b) Packaging. Unless each penicillin dental cone is enclosed in foil or plastic film and such enclosure complies with the definition of tight container on page 6 of the U. S. P., except the provision that it shall be capable of tight reclosure, the immediate container shall be a tight container as so defined. The immediate container may also contain a

desiccant separated from the cones by a plug of cotton or other like material. The composition of the immediate container, or foil or film enclosure, shall be such as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded.

(c) *Labeling.* Each package of penicillin dental cones shall bear, on its label or labeling as hereinafter indicated, the following:

(1) On the outside wrapper or container and the immediate container;

(i) The batch mark;

(ii) The number of units in each cone of the batch;

(iii) The statement "Expiration date \_\_\_\_\_", the blank being filled in with the date which is 18 months after the month during which the batch was certified.

(2) On the outside wrapper or container:

(i) The statement "Store in refrigerator not above 15° C. (59° F.)", or "Store below 15° C. (59° F.)";

(ii) Unless it is intended solely for veterinary use and is conspicuously so labeled the statement "Caution: To be dispensed only by or on the prescription of a \_\_\_\_\_", the blank being filled in with the words "physician" or "dentist" or "veterinarian" or of any combination of two or all of these words, as the case may be; and

(iii) Unless the drug is intended solely for veterinary use and is so labeled, a reference specifically identifying a readily available medical publication containing directions and precautions (including contraindications and possible sensitization) adequate for the use of such cones; or a reference to a brochure or other printed matter containing such directions and precautions, and a statement that such brochure and printed matter will be sent on request.

(3) On the label and labeling if a sulfonamide is present, after the name penicillin dental cones wherever it appears, the words "with \_\_\_\_\_" in juxtaposition with such name, the blank being filled in with the name of the sulfonamide used.

(4) On the circular or other labeling within or attached to the package, if the drug is intended solely for veterinary use, directions and precautions adequate for the use of such penicillin dental cones, including:

(i) Clinical indications;

(ii) Dosage and administration;

(iii) Contraindications; and

(iv) Untoward effects that may accompany administration.

If two or more such immediate containers are in such package the number of circulars or other labeling shall not be less than the number of such containers.

(d) *Requests for certification; samples.* (1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch of penicillin dental cones shall submit with his request a statement showing the batch mark, the number of packages of each

size in such batch, the batch mark and (unless it was previously submitted) the date on which the latest assay of the calcium penicillin used in making such batch was completed, the number of units in each cone, the quantity of each ingredient used in making the batch, the date on which the latest assay of the cones comprising such batch was completed, and that each binder, diluent, lubricant, and sulfonamide used in making the batch conforms to the requirements prescribed therefor by this section.

(2) Except as otherwise provided in subparagraph (4) of this paragraph, such person shall submit in connection with his request results of the tests and assays listed after each of the following, made by him on an accurately representative sample of:

(i) The batch; average potency per cone, average moisture, microorganism count.

(ii) The calcium penicillin used in making the batch; potency, toxicity, moisture, pH.

(3) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request, in the quantities hereinafter indicated, accurately representative samples of the following:

(i) The batch; one cone for each 5,000 cones in the batch, but in no case less than 20 cones or more than 100 cones, collected by taking single cones at such intervals throughout the entire time the cones are being made that the quantities made during the intervals are approximately equal;

(ii) The calcium penicillin used in making the batch; five packages containing approximately equal portions of not less than 40 milligrams each, packaged in accordance with the requirements of § 146.24 (b);

(iii) In case of an initial request for certification, each other substance used in making the batch; one package of each containing approximately 5 grams.

(4) No result referred to in subparagraph (2) (ii) of this paragraph, and no sample referred to in subparagraph (3) (ii) of this paragraph, is required if such result or sample has been previously submitted.

(e) *Fees.* The fee for the services rendered with respect to each batch of penicillin dental cones under the regulations in this part shall be:

(1) \$1.00 for each cone in the sample submitted in accordance with paragraph (d) (3) (i); \$4.00 for each package in the samples submitted in accordance with paragraph (d) (3) (ii) and (iii) of this section; and

(2) If the Commissioner considers that investigations, other than examination of such cones and packages, are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

§ 146.32 Penicillin with vasoconstrictor; penicillin with \_\_\_\_\_ (the blank being filled in with the common or usual name of the vasoconstrictor—(a) Standards of identity, strength, quality, and purity. Penicillin with vasoconstrictor is a packaged combination of one immediate container of calcium penicillin and one immediate container of an aqueous solution of a vasoconstrictor. Such calcium penicillin conforms to the standards prescribed therefor by § 146.24 (a), and is of such quantity that when dissolved in such solution the potency thereof is not less than 500 units per milliliter after it has been kept for seven days at a temperature of 15° C. (59° F.). Such solution contains buffering salts to produce, after the penicillin has been dissolved in it, an isotonic solution of pH 6, ±0.2, and a preservative which prevents growth of microorganisms. Each buffering salt and preservative used, if its name is recognized in the U. S. P. or N. F., conforms to the standards prescribed therefor by such official compendium.

(b) *Packaging.* The immediate container of the calcium penicillin and the immediate container of the aqueous solution of vasoconstrictor shall be tight containers as defined on page 6 of the U. S. P. The immediate container of the calcium penicillin shall be sterile at the time of filling and closing, shall be so sealed that the contents cannot be used without destroying the seal, and shall be of such composition as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded.

(c) *Labeling.* Each package of penicillin with vasoconstrictor shall bear on its label or labeling, as hereinafter indicated, the following:

(1) On the outside wrapper or container and on the immediate container of the calcium penicillin:

(i) The batch mark;

(ii) The number of units in such container; and

(iii) The statement "Expiration date \_\_\_\_\_", the blank being filled in with the date which is 18 months after the month during which the batch was certified.

(2) On the outside wrapper or container and on the immediate container of the aqueous solution of the vasoconstrictor:

(i) A statement giving the method of dissolving the calcium penicillin in the solution;

(ii) The potency per milliliter after the calcium penicillin has been dissolved therein;

(iii) The statement "Store in refrigerator not above 15° C. (59° F.)", or "Store below 15° C. (59° F.)";

(iv) Unless it is intended solely for veterinary use and is conspicuously so labeled, the statement "Warning—Not for injection; to be administered only by a \_\_\_\_\_," or if it is represented for both human and veterinary use, the statement "Warning—Not for injection; to be administered to humans only by a \_\_\_\_\_".

-----," the blank in each such statement being filled in with the word "physician," or "dentist," or both, as the case may be; and

(v) The conditions under which the solution should be stored, including a reference to its instability when stored under other conditions and the statement, "The solution may be kept in refrigerator for one week without significant loss of potency."

(3) On the outside wrapper or container, unless it is intended solely for veterinary use and is conspicuously so labeled:

(i) The statement "Caution: To be dispensed only by or on the prescription of a -----," the blank being filled in with the word "physician" or "dentist" or "veterinarian" or with any combination of two or all of these words, as the case may be; and

(ii) A reference specifically identifying a readily available medical publication containing directions and precautions (including contraindications and possible sensitization) adequate for the use of penicillin with vasoconstrictor; or a reference to a brochure or other printed matter containing such directions and precautions, and a statement that such brochure and printed matter will be sent on request.

(4) If intended solely for veterinary use, directions and precautions adequate for the use of such penicillin with vasoconstrictor, including:

- (i) Clinical indications;
- (ii) Dosage and administration;
- (iii) Contraindications; and
- (iv) Untoward effects that may accompany administration.

If two or more such immediate containers are in such package the number of circulars or other labeling shall not be less than the number of such containers.

(d) Requests for certification; samples. (1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch of calcium penicillin for inclusion in such combination shall submit with his request a statement showing the batch mark of the calcium penicillin, the number of packages thereof in such batch, the number of units in the immediate container thereof, and (unless it was previously submitted) the date on which the latest assay of the calcium penicillin included in such combination was completed, the quantity of each ingredient used in making the solution of the vasoconstrictor, and a statement that such solution conforms to the requirements prescribed therefor by this section.

(2) Except as otherwise provided in subparagraph (4) of this paragraph, such person shall submit in connection with his request results of the tests and assays listed after each of the following, made by him on an accurately representative sample of:

(i) The calcium penicillin; potency, sterility, toxicity, pyrogens, moisture, pH and clarity.

(ii) The solution after the calcium penicillin has been dissolved therein; potency.

(3) Except as otherwise provided in subparagraph (4) of this paragraph, such person shall submit in connection with his request, in the quantities herein-after indicated, accurately representative samples of the following:

(i) The calcium penicillin; one package for each 5,000 packages in the batch, but in no case less than 10 packages or more than 20 packages, collected by taking single packages at such intervals throughout the entire time of packaging the batch that the quantities packaged during the intervals are approximately equal.

(ii) In case of an initial request for certification, or when any change is made in the composition of such solution, 5 packages of the solution included in the combination.

(4) No result referred to in subparagraph (2) (i) of this paragraph, and no samples referred to in subparagraph (3) (i) of this paragraph, are required if such result or sample has been previously submitted.

(e) Fees. The fee for the services rendered with respect to each batch of calcium penicillin for inclusion in combination with vasoconstrictor under this part shall be:

(1) \$4.00 for each immediate container submitted in accordance with paragraph (d) (3) of this section, or \$1.50 if no such sample is submitted; and

(2) If the Commissioner considers that investigations, other than examination of such packages, are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advanced deposit maintained in accordance with § 146.8 (d).

**§ 146.33 Penicillin for surface application—(a) Standards of identity, strength, quality, and purity.** Penicillin for surface application is calcium penicillin and one or more of the diluents sodium chloride, milk sugar, sodium citrate, and dextrose. Its content of viable microorganisms is not greater than is consistent with good pharmaceutical manufacturing practice. Its moisture content is not more than 1.0 percent. The calcium penicillin used conforms to the standards prescribed therefor by § 146.24 (a), except subparagraphs (1), (2), (4) and (7) thereof, but its potency is not less than 300 units per milligram. Each diluent conforms to the standards prescribed therefor by the U. S. P.

(b) Packaging. Unless the penicillin for surface application is enclosed in foil or plastic film and such enclosure complies with the definitions of tight container on page 6 of the U. S. P., except the provision that it shall be capable of tight reclosure, the immediate container shall be a tight container as so defined. The composition of the immediate container, or of the foil or film enclosure, shall be such as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in

applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded. Each immediate container (except when its content is two or more foil or film enclosures) and each foil or film enclosure shall contain not less than 10,000 units or more than 50,000 units and shall be so sealed that the contents cannot be used without destroying such seal.

(c) Labeling. Each package of penicillin for surface application shall bear, on its label or labeling as hereinafter indicated, the following:

(1) On the outside wrapper or container and the immediate container:

(i) The batch mark;

(ii) The number of units in the immediate container or in each foil or film enclosure therein, and the number of such foil or film enclosures;

(iii) The statement "Expiration date -----", the blank being filled in with the date which is 12 months after the month during which the batch was certified; and

(iv) In case the drug is not sterile, the statement "Not sterile—not for injection—not to be used in deep wounds or body cavities".

(2) On the outside wrapper or container:

(i) The statement "Store in refrigerator not above 15° C. (59° F.)", or "Store below 15° C. (59° F.)";

(ii) If two or more such immediate containers or foil or film enclosures are in such package, the number of such containers or foil or film enclosures therein and the number of units in each;

(iii) Unless it is intended solely for veterinary use and is conspicuously so labeled, the statement "Caution: To be dispensed only by or on the prescription of a -----," the blank to be filled in with the word "physician" or "dentist" or "veterinarian" or with any combination of two or all of these words, as the case may be;

(iv) The conditions under which solutions of penicillin for surface application should be stored, including a reference to their instability when stored under other conditions, and the statement "The solution may be kept in refrigerator for one week without significant loss of potency"; and

(v) Unless the drug is intended solely for veterinary use and is so labeled, a reference specifically identifying a readily available medical publication containing directions and precautions (including contraindications and possible sensitization) adequate for the use of penicillin for surface application; or a reference to a brochure or other printed matter containing such directions and precautions, and a statement that such brochure or printed matter will be sent on request.

(3) On the circular or other labeling within or attached to the package, if the drug is intended solely for veterinary use, directions and precautions adequate for the use of such penicillin for surface application including:

(i) Clinical indications;

(ii) Dosage and administration;

## FEDERAL REGISTER, Thursday, October 17, 1946

- (iii) Contraindications; and
- (iv) Untoward effects that may accompany administration.

If two or more such immediate containers are in such package, the number of circulars or other labeling shall not be less than the number of such containers.

(d) *Requests for certification; samples.* (1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch of penicillin for surface application shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the batch mark and (unless it was previously submitted) the date on which the latest assay of the calcium penicillin used in making such batch was completed, the number of units in each immediate container or foil or film enclosure, the quantity of each ingredient used in making the batch, the date on which the latest assay of the drug comprising such batch was completed, and that the sodium chloride, milk sugar, sodium citrate, and dextrose used in making such batch conform to the standards prescribed therefor by the U. S. P.

(2) Except as otherwise provided in subparagraph (4) of this paragraph, such person shall submit in connection with his request results of the tests and assays listed after each of the following, made by him on an accurately representative sample of:

(i) The batch; average potency per immediate container or foil or film enclosure, moisture, microorganism count.

(ii) The calcium penicillin used in making the batch; potency, toxicity, moisture and pH.

(3) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request, in the quantities herein-after indicated, accurately representative samples of the following:

(i) The batch; one immediate container or, if the drug is packed in foil or film enclosures, one such enclosure for each 5,000 such containers or enclosures in the batch, but in no case less than 20 such containers or enclosures or more than 100, collected by taking single containers or enclosures at such intervals throughout the entire time of packaging the batch, that the quantities packed during the intervals are approximately equal;

(ii) The calcium penicillin used in making the batch; five packages containing approximately equal portions of not less than 40 milligrams each, packaged in accordance with the requirements of § 146.24 (b); and

(iii) In case of an initial request for certification, each other substance used in making the batch; one package of each containing approximately 5 grams.

(4) No result referred to in subparagraph (2) (ii) of this paragraph, and no sample referred to in subparagraph (3) (ii) of this paragraph, is required if such result or sample has been previously submitted.

(e) *Fees.* The fee for the services rendered with respect to each batch of penicillin for surface application under the regulations in this part shall be:

(1) \$1.00 for each immediate container or foil or film enclosure, whichever is the greatest number, in the samples submitted in accordance with paragraph (d) (3) (i); \$4.00 for each package submitted in accordance with paragraph (d) (3) (ii) and (iii) of this section; and

(2) If the Commissioner considers that investigations, other than examination of such containers or enclosures, are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

**§ 146.34 Tablets alum precipitated penicillin—(a) Standards of identity, strength, quality and purity.** Tablets alum precipitated penicillin are tablets composed of sodium penicillin, calcium penicillin, or potassium penicillin or any mixture of the three salts precipitated with potassium alum, and tableted with sodium benzoate, with or without the addition of one or more suitable and harmless diluents, binders, lubricants, colorings, and flavorings. The tablet is "unscored". The potency of each tablet is 50,000 units; each tablet contains 0.3 gram of sodium benzoate; the moisture content is not more than 2.0 percent. The sodium penicillin, calcium penicillin, and potassium penicillin used conforms to the standards prescribed therefor by § 146.24 (a), except subparagraphs (1), (2), (4), and (7) thereof, but its potency is not less than 300 units per milligram. Each other substance used if its name is recognized in the U. S. P. or N. F., conforms to the standards prescribed therefor by such official compendium.

**(b) Packaging.** Unless each tablet alum precipitated penicillin is enclosed in foil or plastic film and such enclosure complies with the definition of tight container on page 6 of the U. S. P., except the provision that it shall be capable of tight reclosure, the immediate container shall be a tight container as so defined. The immediate container may also contain a desiccant separated from the tablets by a plug of cotton or other like material. The composition of the immediate container, or of the foil or film enclosure, shall be such as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded. The number of tablets in the immediate container is such that the total number of units therein is not less than 300,000.

**(c) Labeling.** Each package of tablets alum precipitated penicillin shall bear, on its label or labeling as hereinafter indicated the following:

(1) On the outside wrapper or container and the immediate container:

(i) The batch mark;

(ii) The number of units in each tablet of the batch;

(iii) The quantity of sodium benzoate in each tablet;

(iv) The statement "Expiration date \_\_\_\_\_", the blank being filled in with the date which is 18 months after the month during which the batch was certified.

(2) On the outside wrapper or container:

(i) The statement "Store in refrigerator not above 15° C. (59° F.)" or "Store below 15° C. (59° F.)".

(ii) Unless it is intended solely for veterinary use and is conspicuously so labeled, the statement "Caution: To be dispensed only by or on the prescription of \_\_\_\_\_", the blank being filled in with the word "physician" or "dentist" or "veterinarian" or with any combination of two or all of these words, as the case may be.

(iii) Unless it is intended solely for veterinary use and is so labeled, a reference specifically identifying a readily available medical publication containing directions and precautions (including contraindications and possible sensitization) adequate for the use of such tablets alum precipitated penicillin, or a reference to a brochure, or other printed matter containing such directions and precautions, and a statement that such brochure and printed matter will be sent on request.

(3) On the circular or other labeling within or attached to the package, if it is intended solely for veterinary use, directions and precautions adequate for the use of such tablets, including:

- (i) Clinical indications;
- (ii) Dosage and administration;
- (iii) Contraindications; and
- (iv) Untoward effects that may accompany administration.

If two or more such immediate containers are in such package the number of such circulars or other labeling shall not be less than the number of such containers.

**(d) Requests for certification; samples.** (1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch of tablets alum precipitated penicillin shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the batch mark and (unless it was previously submitted) the date on which the latest assay of the sodium penicillin, calcium penicillin, or potassium penicillin used in making such batch was completed, the number of units in each tablet; the quantity of each ingredient used in making the batch, the date on which the latest assay of the drug comprising such batch was completed, and a statement that each ingredient used in making the batch conforms to the requirements prescribed therefor by this section.

(2) Except as otherwise provided in subparagraph (4) of this paragraph, such person shall submit in connection with his request results of the tests and assays listed after each of the following, made by him on an accurately representative sample of:

(i) The batch; average potency per tablet, average moisture.

(ii) The sodium penicillin, calcium penicillin, and potassium penicillin used in making the batch; potency, toxicity, moisture, pH, and if crystalline penicillin crystallinity and heat stability.

(3) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request, in the quantities hereinafter indicated, accurately representative samples of the following:

(i) The batch; one tablet for each 5,000 tablets in the batch, but in no case less than 20 tablets or more than 100 tablets, collected by taking single tablets at such intervals throughout the entire time of tableting that the quantities tableted during the intervals are approximately equal.

(ii) The sodium penicillin, calcium penicillin, and potassium penicillin used in making the batch; five packages of each containing approximately equal portions of not less than 40 milligrams each, packaged in accordance with the requirements of § 146.24 (b).

(iii) In case of an initial request for certification, each other substance used in making the batch; one package of each containing approximately five grams.

(4) No result referred to in subparagraph (2) (ii) of this paragraph, and no sample referred to in subparagraph (3) (ii) of this paragraph, is required if such result or sample has been previously submitted.

(e) Fees. The fee for the services rendered with respect to each batch of tablets alum precipitated penicillin under this part shall be:

(1) \$1.00 for each tablet in the sample submitted in accordance with paragraph (d) (3) (i); \$4.00 for each package in the samples submitted in accordance with paragraph (d) (3) (ii) and (iii), of this section; and

(2) If the Commissioner considers that investigations, other than examination of such tablets and packages, are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

**§ 146.35 Penicillin sulfonamide powder (calcium penicillin sulfonamide powder)—(a) Standards of identity, strength, quality, and purity.** Penicillin sulfonamide powder is composed of calcium penicillin and one or both of the sulfonamides sulfanilamide and sulfathiazole. It is sterile. Its moisture content is not more than 1.0 percent. The quantity of each sulfonamide used is not more than 0.0125 grams for each 100 units of penicillin used. The calcium penicillin used conforms to the standards prescribed therefor by § 146.24 (a), except subparagraphs (1), (4), and (7) thereof, but its potency is not less than 300 units per milligram. Each sulfonamide used conforms to the standards prescribed therefor by the U. S. P.

(b) Packaging. In all cases, the immediate container of penicillin sulfona-

mite powder shall comply with the definition of tight container on page 6 of the U. S. P., except the provision that it shall be capable of tight reclosure, shall be sterile at the time of filling and closing, and shall be of such composition as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded. If the penicillin sulfonamide powder is packaged for "dusting" purposes each package shall contain not less than 5000 units of calcium penicillin. If the penicillin sulfonamide powder is packaged for dental use it shall be packaged in immediate containers of colorless, transparent glass meeting the test for containers of type I or type II prescribed on page 568 of the U. S. P. The glass containers shall be open at both ends, one of which is constricted, both ends shall be capable of closure with rubber stoppers and each such container shall contain not less than 500 units of calcium penicillin. Each package of penicillin sulfonamide powder for dental use shall contain a suitable device for insufflation purposes.

(c) Labeling. Each package of penicillin sulfonamide powder shall bear, on its label or labeling as hereinafter indicated, the following:

(1) On the outside wrapper or container and immediate container;

(i) The batch mark;

(ii) The number of units in each immediate container;

(iii) The statement "Expiration date \_\_\_\_\_", the blank being filled in with the date which is nine months after the month during which the batch was certified;

(iv) The statement "Store in refrigerator not above 15° C. (59° F.)", or "Store below 15° C. (59° F.)";

(v) Unless it is intended solely for veterinary use and is conspicuously so labeled, the statement "Caution: To be dispensed only by or on the prescription of a \_\_\_\_\_", the blank being filled in with the word "physician" or "dentist" or "veterinarian" or with any combination of two or all of these words, as the case may be;

(vi) Unless it is intended solely for veterinary use and is so labeled, a reference specifically identifying a readily available medical publication containing directions and precautions (including contraindications and possible sensitization) adequate for the use of such penicillin sulfonamide powder or a reference to a brochure, or other printed matter containing such directions and precautions, and a statement that such brochure and printed matter will be sent on request;

(vii) On the label and the labeling, after the name penicillin sulfonamide powder wherever it appears, the words "with \_\_\_\_\_" in juxtaposition with such name, the blank being filled in with the name of the sulfonamide used.

(2) On the circular or other labeling within or attached to the package if it is intended solely for veterinary use, directions and precautions adequate for

the use of such penicillin sulfonamide powder, including:

- (i) Clinical indications;
- (ii) Dosage and administration;
- (iii) Contraindications; and
- (iv) Untoward effects that may accompany administration.

(d) Requests for certification; samples. (1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch of penicillin sulfonamide powder shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the batch mark and (unless it was previously submitted) the date on which the latest assay of the calcium penicillin used in making such batch was completed, the number of units in each container of penicillin sulfonamide powder, the quantity of each ingredient used in making the batch, the date on which the latest assay of the penicillin sulfonamide powder comprising such batch was completed, and that each sulfonamide used in making the batch conforms to the requirements prescribed therefor by this section.

(2) Except as otherwise provided in subparagraph (4) of this paragraph, such person shall submit in connection with his request results of the tests and assays listed after each of the following, made by him on an accurately representative sample of:

(i) The batch; average potency per container, average moisture, sterility.

(ii) The calcium penicillin used in making the batch: potency, sterility, toxicity, moisture, and pH.

(3) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request, in the quantities hereinafter indicated, accurately representative samples of the following:

(i) The batch: one immediate container of penicillin sulfonamide powder for each 5,000 containers in the batch, but in no case less than 20 such containers or more than 100. Such samples shall be collected by taking single immediate containers at such intervals throughout the entire time the containers are being filled that the quantities made during the intervals are approximately equal.

(ii) The calcium penicillin used in making the batch; five packages containing approximately equal portions of not less than 40 milligrams each, packaged in accordance with the requirements of § 146.24 (b).

(iii) In case of an initial request for certification, each sulfonamide used in making the batch; one package of each containing approximately five grams.

(4) No result referred to in subparagraph (2) (ii) of this paragraph, and no sample referred to in subparagraph (3) (ii) of this paragraph, is required if such result or sample has been previously submitted.

(e) Fees. The fee for the services rendered with respect to each batch of penicillin sulfonamide powder under the regulations in this part shall be:

(i) \$2.00 for each immediate container of penicillin sulfonamide powder in the sample submitted in accordance with paragraph (d) (3) (i); \$4.00 for

## FEDERAL REGISTER, Thursday, October 17, 1946

each package in the samples submitted in accordance with paragraph (d) (3) (ii) and (iii) of this section; and

(2) If the Commissioner considers that investigations, other than examination of such penicillin sulfonamide powder and packages, are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

The foregoing order shall become effective on the sixtieth day after the date of publication in the FEDERAL REGISTER.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it is essentially a compilation of all existing regulations heretofore promulgated and published in Part 146, and since it is designed primarily for the convenience of the affected industry in collaboration with which the regulations were originally drawn.

Dated: October 11, 1946.

[SEAL] MAURICE COLLINS,  
Acting Administrator.

[F. R. Doc. 46-18661; Filed, Oct. 16, 1946;  
8:47 a. m.]

## TITLE 23—HIGHWAYS

Chapter I—Public Roads Administration,  
Federal Works Agency

PART 15—RULES AND REGULATIONS FOR  
ADMINISTERING FOREST HIGHWAYS

DELEGATION OF AUTHORITY TO CHIEF OF  
FOREST SERVICE FROM SECRETARY OF  
AGRICULTURE WITH RESPECT TO FOREST  
HIGHWAYS

CROSS REFERENCE: For delegation of authority from the Secretary of Agriculture to the Chief of the Forest Service, with respect to § 15.4 (d) and (e) see Title 7, Subtitle A, Part 1, *supra*.

## TITLE 24—HOUSING CREDIT

Chapter VIII—Office of Housing  
Expediter

[Priorities Order 3]

## PART 801—PRIORITIES ORDERS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

## DELEGATION OF AUTHORITY

§ 801.3 Delegation of authority—(a) What this section provides. Housing Expediter Priorities Regulations 1, 2, 3, and 4 relate to the disposal by War Assets Administration of materials and equipment needed in the Veterans' Emergency Housing Program. This section delegates to certain officials in the Office of the Housing Expediter the authority (1) to make certain determinations described in Housing Expediter Priorities Regulations 1 and 2, and (2) to

issue Housing Expediter certificates in accordance with Housing Expediter Priorities Regulation 4, and to make findings in support of such certificates.

(b) Sequence of filling orders under HEPR 1 and 2. The Regional Housing Expediter of each Region of the Office of the Housing Expediter and the Director of the Expediting Branch, Office of Materials Supply, Office of the Housing Expediter, are hereby authorized to make the determinations described in paragraph (f) (2) of Housing Expediter Priorities Regulation 1 and in paragraph (f) (2) of Housing Expediter Priorities Regulation 2. These determinations relate to the sequence in which purchase orders received by War Assets Administration under HEPR 1 and 2 shall be accepted and filled by WAA.

NOTE: Former paragraphs (b) and (c) redesignated (c) and (d) Oct. 16, 1946.

(c) Finding of short supply. The Regional Housing Expediter of each Region of the Office of the Housing Expediter and the Director of the Expediting Branch, Office of Materials Supply, Office of the Housing Expediter, are hereby authorized to determine whether there is a shortage in the supply of any materials or equipment for which an application for a Housing Expediter certificate is filed under Housing Expediter Priorities Regulation 4.

(d) Housing Expediter certificates. The Regional Housing Expediter of each Region of the Office of the Housing Expediter and the Director of the Expediting Branch, Office of Materials Supply, Office of the Housing Expediter, are hereby authorized to issue Housing Expediter certificates, in accordance with Housing Expediter Priorities Regulation 4, covering materials or equipment found by the Regional Housing Expediter or the Director of the Expediting Branch, Office of Materials Supply, respectively, in accordance with paragraph (c) of this section, to be in short supply.

(Title III, 56 Stat. 177, as amended; 60 Stat. 207; 50 U. S. C. App. Supp. 633; CPA Dir. 44, 11 F. R. 8936)

Issued this 16th day of October 1946.

[SEAL] WILSON W. WYATT,  
Housing Expediter.

[F. R. Doc. 46-18846; Filed, Oct. 16, 1946;  
11:33 a. m.]

[Priorities Reg. 1 as Amended Oct. 16, 1946]

PART 803—PRIORITIES REGULATIONS UNDER  
VETERANS' EMERGENCY HOUSING ACT OF  
1946SURPLUS BUILDING MATERIALS AND  
EQUIPMENT

Par.

- (a) What this section provides.
- (b) Building materials and equipment covered by this section.
- (c) Agencies eligible during period prior to sale.
- (d) Advertising period.
- (e) Offering period.

Sec.

- (f) Order of precedence within classes described in paragraphs (e) (1) and (e) (2).
- (g) Surplus Property Act priority groups.
- (h) Minimum and maximum quantities.
- (i) Other terms of disposal.
- (j) Authorized quantities.
- (k) Use by persons described in paragraph (e) (1).
- (l) Sales by persons described in paragraph (e) (1).
- (m) Sales by persons described in paragraph (e) (2).
- (n) Effect of Housing Expediter directives and certificates, CPA special directives, and CPA urgency certificates.
- (o) Appeals.
- (p) Violations.
- (q) Reporting and record-keeping requirements.

§ 803.1 Surplus building materials and equipment for the Veterans' Emergency Housing Program and the Veterans Administration Construction Program—(a) What this section provides. This section provides for channeling certain surplus building materials and equipment held by the War Assets Administration into the Veterans' Emergency Housing Program (for the construction of low and moderate cost housing accommodations) and the Veterans Administration Construction Program (for hospitals and other facilities). This section is deemed necessary and appropriate in the public interest and to effectuate the purposes of the Veterans' Emergency Housing Act of 1946.

The materials listed in the table at the end of this section are suitable for the construction of housing accommodations and are in short supply. Those materials, referred to in this section as "building materials and equipment," are not now available in sufficient quantities from new production. Unless otherwise directed by the Housing Expediter or the Civilian Production Administration, any disposal by WAA of any of the building materials and equipment covered by this section which are held as surplus by WAA must be made subject to this section. Under this section, first opportunity for acquiring such building materials and equipment held as surplus property by WAA is given to persons and agencies acquiring for use or resale for use in the above programs.

## RESTRICTIONS ON DISPOSALS BY WAA

(b) Building materials and equipment covered by this section. This section applies only to the building materials and equipment listed in the table at the end of this section. It applies whether the listed building materials and equipment are new or used, and includes building materials and equipment recovered or salvaged from dismantled surplus property. As used in this section, the term "materials" includes items customarily referred to as "supplies."

NOTE: Paragraph (c) formerly (d) redesignated, and former paragraph (c) deleted Oct. 16, 1946.

(c) Agencies eligible during period prior to sale. During a period of time depending upon the type of building material or equipment and the method of sale, and prior to the time any building materials or equipment covered by this section are first advertised or pub-

licly offered for sale, such building materials or equipment may be transferred only to:

(1) The Veterans Administration for use in the Veterans' Administration Construction Program.

(2) The Federal Public Housing Authority, to the extent directed by the Housing Expediter, for use under Title V of the act entitled "An Act to expedite the provision of housing in connection with the national defense, and for other purposes," approved October 14, 1940, as amended.

(d) *Advertising period.* During a period of time to be determined by WAA, the building materials or equipment remaining to be disposed of after the period described in paragraph (c) of this section has expired shall be publicly advertised by WAA for disposal to as many of the following as WAA deems appropriate in view of the probable demand:

(1) Classes of persons described in paragraphs (e) (1) and (e) (2) of this section.

(2) Priority groups established by the Surplus Property Act of 1944, as amended.

(3) Other buyers.

Such advertisement shall indicate that during a specified offering period orders will be filled in the order of precedence provided for in paragraphs (e), (f) and (g) of this section.

(e) *Offering period.* During the offering period specified in the public advertisement provided for in paragraph (d) of this section, WAA shall follow the order of precedence set out below in disposing of any building materials or equipment covered by this section:

(1) Persons purchasing the building materials or equipment for use who give with their purchase orders a certificate in writing in substantially the following form:

The undersigned certifies to the War Assets Administration and the Housing Expediter, subject to the criminal penalties of section 35 (A) of the U. S. Criminal Code, that (1) he has been authorized to use an HH rating for the construction of housing accommodations, or for production, under the Veterans' Emergency Housing Program (or an MM rating for construction under the Veterans' Administration Construction Program), (2) the following project or serial number(s) has (have) been assigned in connection with such construction or production:

, and (3) all the materials and equipment covered by this purchase order are required for and will be used in such construction or production.

(Signature)

(2) Regularly established sellers of building materials or equipment purchasing for resale who give with their purchase orders a certificate in writing in substantially the following form:

The undersigned certifies to the War Assets Administration and the Housing Expediter, subject to the criminal penalties of section 35 (A) of the U. S. Criminal Code, that the materials and equipment covered by this purchase order will be publicly offered for sale without delay, and will be disposed of only to persons who give with their purchase orders a certificate in writing in substantially the form described in paragraph (e) (1) of Housing Expediter Priorities Regulation 1, as amended.

\_\_\_\_\_  
Signature

(3) Other persons.

During the offering period described in this paragraph, the agencies described in paragraph (c) of this section may not acquire any of the building materials or equipment covered by this section which are being offered for disposal, until after the preferences of the persons described in subparagraphs (1) and (2) of this paragraph have been satisfied.

(f) *Order of precedence within classes described in paragraphs (e) (1) and (e) (2).* Within class (1) or (2) of paragraph (e) of this section, WAA shall follow the order of precedence set out below in filling orders for building materials or equipment covered by this section:

(1) *In order of receipt.* Unless the Housing Expediter or WAA makes the determinations described in subparagraph (2) of this paragraph, WAA shall accept and fill orders in the sequence in which they are received by WAA.

(2) *By drawing of lots.* If the Housing Expediter or WAA determines, before the offering period described in paragraph (e) of this section begins, that:

(i) The amount of any building material or equipment covered by this section to be offered for disposal by WAA at a particular place will be inadequate to fill the expected orders from persons described in paragraph (e) (1) of this section (or from persons described in paragraph (e) (2) after the preference of paragraph (e) (1) has been satisfied), and

(ii) The geographical distribution of such persons would work an unusual and inequitable hardship upon some of them if the "order of receipt" rule were applied as provided in subparagraph (1) of this paragraph,

WAA shall then fill orders from such persons in a sequence determined by the drawing of lots.

(g) *Surplus Property Act priority groups.* During the period described in paragraph (c) of this section, any disposal by WAA of building materials or equipment covered by this section shall be made without regard to the priority groups established by the Surplus Property Act of 1944, as amended. In addition, during the offering period described in paragraph (e) of this section, any

disposal by WAA of building materials or equipment covered by this section to persons described in paragraph (e) (1) or (e) (2) shall be made without regard to the priority groups established by the Surplus Property Act. However, after the preferences of the persons described in paragraphs (e) (1) and (e) (2) have been satisfied, WAA may dispose of the remainder of any lot of building materials or equipment in accordance with the Surplus Property Act and applicable regulations issued under that Act.

(h) *Minimum and maximum quantities.* During the offering period described in paragraph (e) of this section, WAA may dispose of any materials or equipment covered by this section:

(1) In such minimum quantities as WAA may determine.

(2) In such maximum quantities as WAA determines will be most equitable in view of the estimated demand for the particular building materials or equipment offered for disposal. However, if one or more purchase orders from persons described in paragraphs (e) (1) or (e) (2) of this section remain partially unfilled at the end of the offering period, and if some of the particular building material or equipment covered by such orders remains undisposed of at the end of the offering period, WAA shall apply such material or equipment to the unfilled orders (in the order of precedence provided for in paragraphs (e), (f), and (g) of this section).

(i) *Other terms of disposal.* During the periods described in paragraphs (c) and (e) of this section, WAA may dispose of any building materials or equipment covered by this section upon such terms and conditions as are not in conflict with this section.

RESTRICTIONS ON BUYERS

(j) *Authorized quantities.* The quantities of building materials or equipment obtained by use of the certificate described in paragraph (e) (1) of this section, together with the quantities obtained from other sources by use of the HH rating itself (or MM rating), must not exceed the quantities for which the use of the HH rating (MM rating) was authorized.

NOTE: Former paragraphs (i) through (o) redesignated (k) through (q) respectively Oct. 16, 1946.

(k) *Use by persons described in paragraph (e) (1).* Any person obtaining building materials or equipment by use of the certificate described in paragraph (e) (1) of this section may use the building materials or equipment so obtained only in accordance with the terms of that certificate.

(l) *Sales by persons described in paragraph (e) (1).* If it becomes impossible

for a person who acquired building materials or equipment by use of the certificate described in paragraph (e) (1) of this section to use all of them in accordance with the terms of that certificate, he must publicly offer for sale the unused building materials or equipment and must dispose of them only to persons who give a certificate as described in paragraph (e) (1) or (e) (2) of this section. In addition, he must not dispose of them even to such persons if he knows, or has reason to believe, that they will be acquired, used, or disposed of in violation of this section.

(m) *Sales by persons described in paragraph (e) (2).* Any person obtaining building materials or equipment by use of the certificate described in paragraph (e) (2) of this section must dispose of the building materials or equipment so obtained only in accordance with the terms of that certificate. In addition, he must not dispose of them even to persons eligible under the terms of the certificate if he knows, or has reason to believe, that they will be acquired, used, or disposed of in violation of this section.

#### OTHER PROVISIONS

(n) *Effect of Housing Expediter directives, Housing Expediter certificates, CPA special directives, and CPA urgency certificates.* The relation between this section and directives and certificates issued by the Housing Expediter or the Civilian Production Administration is as follows:

(1) *Housing Expediter directives and CPA special directives.* Directives issued by the Housing Expediter and special directives issued by the Civilian Production Administration shall take precedence over the disposal procedure outlined in this section.

(2) *Housing Expediter certificates and CPA urgency certificates.* Housing Expediter certificates issued under Housing Expediter Priorities Regulation 4, and urgency certificates issued under Direction 16 to Priorities Regulation 13 of the Civilian Production Administration, shall take precedence over the disposal procedure outlined in this section, except paragraph (c), if the WAA Regional Office in charge of the building material or equipment covered by such a certificate receives the certificate prior to the beginning of the advertising period provided for in paragraph (d) of this section.

(o) *Appeals.* Any person who considers that compliance with any provision in this section would result in an exceptional and unreasonable hardship on him may appeal for relief. An appeal shall be in the form of a letter in triplicate, addressed to the Housing Expediter, Washington 25, D. C., clearly stating the specific provision in the section appealed from and the grounds for claiming an exceptional and unreasonable hardship.

(p) *Violations.* Any person who wilfully violates any provision of this section and any person who knowingly

makes any statement to any department or agency of the United States, as to any matter within its jurisdiction, which is false in any respect, or who wilfully conceals a material fact in any certificate required to be filed under this section, or who wilfully falsifies any records required to be kept under this section, shall, upon conviction thereof, be subject to fine or imprisonment or both, under the Veterans' Emergency Housing Act of 1946 and other applicable Federal Statutes. Any such person or any other person who violates any provision of this section may be prohibited from making or obtaining any further deliveries of, or from using, any materials or facilities suitable for housing construction, and may be deprived of priorities assistance for such materials or facilities.

(q) *Reporting and record-keeping requirements.* Each person or agency participating in any transaction to which this section is applicable shall complete and preserve, for at least two years after each such transaction, accurate and complete records of the details of the transaction. All persons affected by this section shall file such information and reports as may be required by the Housing Expediter (or person or agency authorized by him to make such requests), subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942. The record-keeping requirements of this section have been approved by the Bureau of the Budget in accordance with that act.

(Title III, 56 Stat. 177, as amended; 60 Stat. 207; 50 U. S. C. App. Supp. 633; CPA Dir. 44, 11 F. R. 8936)

Issued this 16th day of October 1946.

WILSON W. WYATT,  
Housing Expediter.

TABLE OF BUILDING MATERIALS AND EQUIPMENT  
COVERED BY THIS SECTION

Aluminum, plate, sheet and strip and shapes.	Furnace pipe, fittings and duct work.
Asbestos cement pipe, and fittings.	Fuses, electrical.
Asbestos flat sheets.	Glass, window, common, sheet.
Bends, lead.	Gutters and downspouts, metal.
Blocks, building, concrete and cinder.	Gypsum board.
Boilers, low pressure residential heating.	Gypsum lath.
Brick, common and face.	Gypsum plank, metal bound.
Brick, sand-lime.	Hardboard, (tempered, untempered).
Building sections, knocked down, portable, metal.	Hardware, builders'.
Burners, oil, domestic, apartment-type and hot water heating.	Hot water circulation, condensation, and vacuum heating pumps.
Burner units, boiler.	Insect screen cloth, metal.
Cabinets, bath and medicine.	Insulation board.
Casements, metal.	Insulation, flexible.
Caulking, lead.	Insulators, electric.
Cement, Portland.	Lath, metal, and accessories.
Conduit, electrical, $\frac{1}{4}$ " to 2" incl.	Lath, insulated.
Controls, heating, domestic, and accessories.	Lighting fixtures, residence, electrical.
Controls, oil burners.	Lime, finish and masonry.
Doors, door frames, metal.	Linoleum.
Fabricated structural shapes and forms, iron and steel, suitable for housing construction only.	Linseed oil, raw and boiled.
Felt, roofing, dry.	Lumber.
Fittings, conduit, metal.	Millwork, including frames, moulding, sash doors, and built-in kitchen cabinets.
Fittings, threaded, malleable, and cast iron, brass and bronze	Nails, 20d and under, all types.
Floor coverings, hard surface.	Paint, pigments, all types, thinners, dryers and varnishes.
Flooring, hardwood, including stair treads.	Panels, sections, prefabricated, all types.
Fractional h. p. motors, $\frac{1}{8}$ to $\frac{1}{3}$ h. p. inclusive.	Paper, building and sheathing.
Furnaces, warm air (gravity circulation, wall, floor, and forced air circulation).	Pipe, concrete.
Furnaces, gas fixtures.	Pipe, lead, and fittings up to 1 $\frac{1}{2}$ ".
	Pipe, wrought iron and steel and fittings, black and galvanized.
	Plaster, hardwall.
	Plumbing fixtures, fittings and trim, brass, bronze and steel.
	Prefabricated structures suitable for housing (except fixed structures in place).
	Putty.
	Radiation, cast iron, tubular, cast iron convector, extended surface convector.
	Range boilers, water; domestic, without coils or burner.
	Refrigerators, domestic.
	Registers and grilles, warm air; steel, other than ornamental.
	Roofing, asphalt, asbestos, wood and metal.
	Sash weights.
	Screens, metal.
	Septic tanks, all metal, reinforced concrete.
	Sewer drain pipe, bituminized fiber.
	Sewer pipe, clay, and fittings.
	Sheathing, insulation.
	Sheet, copper.
	Sheet steel, form panels for foundation walls.
	Shingles, all types.
	Shower receptors.
	Shower stalls.
	Siding, shingles, asbestos cement.
	Softwood plywood.
	Soil pipe, cast iron.
	Stairs, staircases, fire escapes, metal.
	Steel bars, rods, mesh reinforcing.
	Steel sheets, galvanized and black.
	Stokers, domestic.
	Stoves, cooking and heating, domestic, including space heaters.
	Tanks, expansion.
	Tanks, storage, up to 550 gals., for oil, water, and liquefied gas.
	Termite shields, metal.
	Terneplate and roofing.
	Tile, gypsum, except partition.
	Tile, asphalt.
	Tile, structural clay, hollow.
	Traps, lead.
	Tubing, copper, $\frac{1}{2}$ " to 1 $\frac{1}{4}$ " inclusive.
	Valves, iron and brass, gate and check, $\frac{1}{2}$ " to 12".
	Valves, iron and brass, globe, $\frac{1}{2}$ " to 4", including boiler drains.
	Valves, iron and brass, stop and waste up to 2".
	Veneer, softwood.
	Wallboard, fiber, laminated.
	Water heaters, electric, side-arm, indirect, and direct-fire storage type.
	Weather stripping, rubber, wood and metal.

Windows, window frames, metal.  
 Wire, copper, insulated (including Romex 8 B-1 cable).  
 Wire, domestic use.  
 Wire, stucco mesh.  
 Wiring devices, electrical, residential type; such as switches, receptacles, wall plates.  
 [F. R. Doc. 46-18848; Filed, Oct. 16, 1946; 11:33 a. m.]

[Priorities Reg. 2 as Amended Oct. 16, 1946]

PART 803—PRIORITIES REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

SURPLUS MATERIALS AND EQUIPMENT

Par.

- (a) What this section provides.
- (b) Materials and equipment covered by this section.
- (c) Agencies eligible during period prior to sale.
- (d) Advertising period.
- (e) Offering period.
- (f) Order of precedence within classes described in paragraphs (e) (1), (e) (2), and (e) (3).
- (g) Surplus Property Act priority groups.
- (h) Minimum and maximum quantities.
- (i) Other terms of disposal.
- (j) Use by persons, agencies, or instrumentalities described in paragraph (e).
- (k) Sales by persons, agencies, or instrumentalities described in paragraph (e).
- (l) Effect of Housing Expediter directives, Housing Expediter certificates, CPA special directives, and CPA urgency certificates.
- (m) Appeals.
- (n) Violations.
- (o) Reporting and record-keeping requirements.

**§ 803.2 Surplus materials and equipment for utilities servicing the Veterans' Emergency Housing Program and the Veterans Administration Construction Program**—(a) What this section provides. This section provides for the channeling of certain surplus materials and equipment held by the War Assets Administration into the construction and maintenance of utilities (water, power, gas, or sewerage) which are necessary for housing accommodations constructed under the Veterans' Emergency Housing Program, and for hospitals and other facilities constructed under the Veterans Administration Construction Program. This section is deemed necessary and appropriate in the public interest and to effectuate the purposes of the Veterans' Emergency Housing Act of 1946.

The materials listed in the table at the end of this section are suitable for the construction of housing accommodations and are in short supply. These materials, referred to in this section as "materials and equipment," are not now available in sufficient quantities from new production. Unless otherwise directed by the Housing Expediter or the Civilian Production Administration, any disposal by War Assets Administration of any of these materials or equipment held as surplus by WAA must be made subject to this section. Under this section, first opportunity for acquiring such materials and equipment held as surplus property by WAA is given to persons and governmental agencies and instrumentalities acquiring for use in utilities for the Veterans' Emergency Housing Program and the Veterans Administration Construc-

tion Program. Special provision is made for a utility or governmental agency or instrumentality to use materials or equipment purchased under this section, to meet a public emergency arising within 90 days after such purchase and endangering the health or safety of a community.

RESTRICTIONS ON DISPOSALS BY WAA

(b) Materials and equipment covered by this section. This section applies only to the materials and equipment listed in the table at the end of this section. It applies whether the listed materials and equipment are new or used, and includes materials and equipment recovered or salvaged from dismantled surplus property. As used in this section, the term "materials" includes items customarily referred to as "supplies."

NOTE: Former paragraph (c) deleted and former paragraph (d) redesignated (c) Oct. 16, 1946.

(c) Agencies eligible during period prior to sale. During a period of time depending upon the type of material or equipment and the method of sale, and prior to the time any materials or equipment covered by this section are first advertised or publicly offered for sale, such materials or equipment may be transferred only to:

(1) The Veterans Administration for use in the Veterans Administration Construction Program.

(2) The Federal Public Housing Authority, to the extent directed by the Housing Expediter, for use under Title V of the act entitled "An Act to expedite the provision of housing in connection with the national defense, and for other purposes," approved October 14, 1940, as amended.

(d) Advertising period. During a period of time to be determined by WAA, the materials or equipment remaining to be disposed of after the period described in paragraph (c) of this section has expired shall be publicly advertised by WAA for disposal to as many of the following as WAA deems appropriate in view of the probable demand:

(1) Classes described in paragraphs (e) (1), (e) (2), and (e) (3) of this section.

(2) Priority groups established by the Surplus Property Act of 1944, as amended.

(3) Other buyers.

Such advertisement shall indicate that during a specified offering period orders will be filled in the order of precedence provided for in paragraphs (e) (f), and (g) of this section.

(e) Offering period. During the offering period specified in the public advertisement provided for in paragraph (d) of this section, WAA shall follow the order of precedence set out below in disposing of any materials or equipment covered by this section:

(1) State or local governmental agencies or instrumentalities that give with

their purchase orders a certificate in writing in substantially the following form:

The undersigned certifies to the War Assets Administration and the Housing Expediter, subject to the criminal penalties of sec. 35 (A) of the U. S. Criminal Code, that all the materials and equipment covered by this purchase order (1) are required for construction or maintenance of utilities (water, power, gas, sewerage) necessary to service housing accommodations for which priorities assistance has been assigned under the Veterans' Emergency Housing Program, or construction for which priorities assistance has been assigned under the Veterans Administration Construction Program, to which the following project or serial number or numbers have been assigned:

and (2) will be used within 90 days from the date of this purchase order in such construction or maintenance (or may be used within the 90 days, for the repair of an essential utility servicing other housing accommodations, in order to meet a public emergency in connection with such utility which endangers the health or safety of a community, but will not be used for normal maintenance, repair, or operation of such utility).

Signature

(2) Publicly or privately owned utilities that give with their purchase orders a certificate in writing in substantially the form set out in subparagraph (1) of this paragraph.

(3) Contractors, subcontractors, or builders who give with their purchase orders a certificate in writing in substantially the following form:

The undersigned certifies to the War Assets Administration and the Housing Expediter, subject to the criminal penalties of sec. 35 (A) of the U. S. Criminal Code, that all the materials and equipment covered by this purchase order are required for and within 90 days of the date of this purchase order will be used in construction or maintenance of utilities (water, power, gas, sewerage) necessary to service housing accommodations for which priorities assistance has been assigned under the Veterans' Emergency Housing Program, or construction for which priorities assistance has been assigned under the Veterans Administration Construction Program, to which the following project or serial number or numbers have been assigned:

Signature

(4) Other persons.

During the offering period described in this paragraph, the agencies described in paragraph (c) of this section may not acquire any of the materials or equipment covered by this section which are being offered for disposal, until after the preferences of the persons, agencies, and instrumentalities described in subparagraphs (1), (2), and (3) of this paragraph have been satisfied.

(f) Order of precedence within classes described in paragraphs (e) (1), (e) (2), and (e) (3). Within class (1), (2), or (3) of paragraph (e) of this section, WAA shall follow the order of precedence set out below in filling orders for materials or equipment covered by this section:

(1) *In order of receipt.* Unless the Housing Expediter or WAA makes the determinations described in subparagraph (2) of this paragraph, WAA shall accept and fill orders in the sequence in which they are received by WAA.

(2) *By drawing of lots.* If the Housing Expediter or WAA determines, before the offering period described in paragraph (e) of this section begins, that:

(i) The amount of any material or equipment covered by this section to be offered for disposal by WAA at a particular place will be inadequate to fill the expected orders from persons, agencies and instrumentalities described in paragraph (e) (1) of this section (or from persons, agencies and instrumentalities described in paragraph (e) (2) or (e) (3) after the preceding preferences of paragraph (e) have been satisfied), and

(ii) The geographical distribution of such persons, agencies and instrumentalities would work an unusual and inequitable hardship upon some of them if the "order of receipt" rule were applied as provided in subparagraph (1) of this paragraph,

WAA shall then fill orders from such persons in a sequence determined by the drawing of lots.

(g) *Surplus Property Act priority groups.* During the period described in paragraph (c) of this section, any disposal by WAA of materials or equipment covered by this section shall be made without regard to the priority groups established by the Surplus Property Act of 1944, as amended. In addition, during the offering period described in paragraph (e) of this section, any disposal by WAA of materials or equipment covered by this section to persons, agencies or instrumentalities described in paragraphs (e) (1), (e) (2), or (e) (3) of this section shall be made without regard to the priority groups established in the Surplus Property Act. However, after the preference of such persons, agencies and instrumentalities have been satisfied, WAA may dispose of the remainder of any lot of materials or equipment in accordance with the Surplus Property Act and applicable regulations issued under that Act.

(h) *Minimum and maximum quantities.* During the offering period described in paragraph (e) of this section, WAA may dispose of any materials or equipment covered by this section:

(1) In such minimum quantities as WAA may determine.

(2) In such maximum quantities as WAA determines will be most equitable in view of the estimated demand for the

particular materials or equipment offered for disposal. However, if one or more purchase orders from persons described in paragraphs (e) (1), (e) (2), or (e) (3) of this section remain partially unfilled at the end of the offering period, and if some of the particular material or equipment covered by such orders remains undisposed of at the end of the offering period, WAA shall apply such material or equipment to the unfilled orders (in the order of precedence provided for in paragraphs (e), (f), and (g) of this section).

(i) *Other terms of disposal.* During the offering periods described in paragraphs (c) and (e) of this section, WAA may dispose of any materials or equipment covered by this section upon such other terms and conditions as are not in conflict with this section.

**NOTE:** Former paragraphs (l) to (n) redesignated (j) to (o) Oct. 16, 1946.

#### RESTRICTIONS ON BUYERS

(j) *Use by persons, agencies or instrumentalities described in paragraph (e) of this section.* Any person or governmental agency or instrumentality obtaining materials or equipment by use of either of the certificates described in paragraph (e) of this section may use the materials or equipment so obtained only in accordance with the terms of that certificate.

(k) *Sales by persons, agencies or instrumentalities described in paragraph (e) of this section.* If it becomes impossible for a person, agency or instrumentality who acquired materials or equipment by use of either of the certificates described in paragraph (e) of this section to use all of them in accordance with terms of that certificate, he must publicly offer for sale the unused materials or equipment and must dispose of them only to a person or governmental agency or instrumentality as described in paragraph (e) of this section. In addition, he must not dispose of them even to such persons, agencies, or instrumentalities if he knows, or has reason to believe, that they will be acquired, used, or disposed of in violation of this section.

#### OTHER PROVISIONS

(l) *Effect of Housing Expediter directives, Housing Expediter certificates, CPA special directives, and CPA urgency certificates.* The relation between this section and directives and certificates issued by the Housing Expediter or the Civilian Production Administration is as follows:

(1) *Housing Expediter directives and CPA special directives.* Directives issued by the Housing Expediter and special directives issued by the Civilian Production Administration shall take precedence over the disposal procedure outlined in this section.

(2) *Housing Expediter certificates and CPA urgency certificates.* Housing Ex-

peditier certificates issued under Housing Expediter Priorities Regulation 4, and urgency certificates issued under Direction 16 to Priorities Regulation 13 of the Civilian Production Administration, shall take precedence over the disposal procedure outlined in this section, except paragraph (c), if the WAA Regional Office in charge of the material or equipment covered by such a certificate receives the certificate prior to the beginning of the advertising period provided for in paragraph (d) of this section.

(m) *Appeals.* Any person who considers that compliance with any provisions of this section would result in an exceptional and unreasonable hardship on him may appeal for relief. An appeal shall be in the form of a letter in triplicate, addressed to the Housing Expediter, Washington 25, D. C., clearly stating the specific provision of the section appealed from and the grounds for claiming an exceptional and unreasonable hardship.

(n) *Violations.* Any person who wilfully violates any provision of this section or who knowingly makes any statement to the Housing Expediter or the War Assets Administration, as to any matter within their respective jurisdictions, which is false in any respect, or who wilfully conceals a material fact in any certificate required to be executed under this section, or who wilfully falsifies any records required to be kept under this section, shall, upon conviction thereof, be subject to fine or imprisonment or both, under the Veterans' Emergency Housing Act of 1946 and other applicable federal statutes. Any such person or any other person who violates any provision of this section may be prohibited from making or obtaining any further deliveries of, or from using, any materials or facilities suitable for housing construction, and may be deprived of priorities assistance for such materials or facilities.

(o) *Reporting and record-keeping requirements.* Each person or agency participating in any transaction to which this section is applicable shall complete and preserve, for at least two years after each such transaction accurate and complete records of the details of the transaction. All persons affected by this section shall file such information and reports as may be required by the Housing Expediter (or any person or agency authorized by him to make such requests), subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942. The record-keeping requirements of this section have been approved by the Bureau of the Budget in accordance with that act.

(Title III, 56 Stat. 177, as amended; 60 Stat. 207; 50 U. S. C. App. Supp. 633; CPA Dir. 44, 11 F. R. 8936)

Issued this 16th day of October 1946.

WILSON W. WYATT,  
Housing Expediter.

## TABLE OF MATERIALS AND EQUIPMENT COVERED BY THIS REGULATION

NOTE: Table amended Oct. 16, 1946.

- Braided hemp and yarn, for water, gas and sewer pipes.  
 Cable, electrical, lead covered.  
 Corporation cocks, brass, up to and including 2" for water.  
 Culvert pipe, cast iron and corrugated iron.  
 Gaskets, rubber, for water and gas pipe and mains.  
 Goosenecks, lead, with and without brass fittings, up to and including 2", water.  
 Hydrants, fire, all types, for water.  
 Insulators, for power.  
 Joint compound, sulfur for water, sulfur-sand and bituminous for sewers.  
 Lead, caulking.  
 Lightning arresters, for power.  
 Manhole frames and covers, cast iron, all types.  
 Meters:  
   (a) Electrical domestic.  
   (b) Gas, tinned steel and cast iron, for gas.  
   (c) Water,  $\frac{5}{8}$ " to 2".  
 Meter boxes:  
   (a) Frames and covers (all types) for water.  
   (b) Steel, for power.  
 Meter stops, up to and including 1 $\frac{1}{2}$ " for gas, Pipe:  
   (a) Asbestos-cement, up to and including 24".  
   (b) Black, wrought, galvanized iron (services) up to and including 2" for gas and water.  
   (c) Cast iron pressure, up to and including 24".  
   (d) Steel (mains) up to and including 12" for gas and water.  
   (e) Vitrified tile up to and including 24" sewers.  
 Pipe fittings:  
   (a) Cast iron and asbestos-cement (mains) up to and including 24" and stops.  
   (b) Black and galvanized iron (services) up to and including 2".  
   (c) Vitrified clay fittings.  
   (d) Couplings and fittings for steel pipe.  
 Poles and cross arms, wood distribution type, power.  
 Pole-line hardware, for power.  
 Regulators, gas.  
 Transformers, up to and including 50 Kva.  
 Tile, open joint, up to and including 6" for drainage and septic tank fields.  
 Tubing, copper and copper alloy, up to and including 2" for water and gas.  
 Service boxes, cast iron, for gas and water.  
 Valves, up to and including 24" for gas and water (mains and pipes).  
 Valve boxes and covers, cast iron, water and gas.  
 Wire, copper, electrical, insulated, weather-proofed, and bare.

[F. R. Doc. 46-18847; Filed, Oct. 16, 1946;  
11:33 a. m.]

[Priorities Reg. 3, as Amended]

## PART 803—PRIORITIES REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

## DIRECTIVES AND CERTIFICATES FOR SURPLUS EQUIPMENT

**§ 803.3 Housing Expediter directives and certificates for surplus equipment for the Veterans' Emergency Housing Program—(a) What this section provides.** This section provides for channeling certain surplus equipment held by the War Assets Administration into the Veterans' Emergency Housing Program, to be used for the construction of low and moderate cost housing accommodations for veter-

ans. The equipment listed in the table at the end of this section is suitable for the construction of housing accommodations and is in critically short supply. Such equipment is not now available in sufficient quantities from new production. This section provides a preference for a specified period to persons or governmental agencies or instrumentalities who will use the equipment to make a substantial contribution to the Veterans' Emergency Housing Program. This section is deemed necessary and appropriate in the public interest and to effectuate the purposes of the Veterans' Emergency Housing Act of 1946.

(b) *Equipment covered by this section.* This section applies only to the equipment listed in the table at the end of this section. It applies whether the equipment is new or used (except for equipment in R-4 or X condition, as defined in WAA "Central Office Program No. 229 Revised, Machinery Branch"). It applies to all such equipment in WAA stocks (whether in WAA "confirmed inventory" or not) unless a written offer has been made by WAA for the disposal of such equipment and (1) prior to September 3, 1946, the offer was accepted in writing or (2) on September 3, 1946, the offer had not yet expired under its own terms, and prior to its expiration it is accepted in writing.

(c) *VEHP preference.* During the period of time defined in paragraph (d) of this section, the War Assets Administration shall not advertise, offer, sell, or dispose of any equipment covered by this section, except in accordance with an offer made in writing by WAA prior to September 3, 1946, or in accordance with a Housing Expediter directive, a Housing Expediter certificate (issued under Housing Expediter Priorities Regulation 4), a special directive issued by the Civilian Production Administration, or an urgency certificate issued by the Civilian Production Administration. Housing Expediter directives or certificates for such equipment will not be issued unless the Housing Expediter (or a Regional Housing Expediter under Housing Expediter Priorities Regulation 4) determines that the proposed use of the equipment will make a substantial contribution to the Veterans' Emergency Housing Program. Disposal shall be made pursuant to such Housing Expediter directives or certificates, regardless of whether the person, agency, or instrumentality named in the directive or certificate is a veteran or whether he holds a WAA Form 63, 73, or 1127 veteran's certificate.

(d) *Length of period.* The preference period under this section for disposals by WAA of surplus equipment to persons, agencies, or instrumentalities making a substantial contribution to the VEHP will begin with the effective date of this section and end on November 17, 1946.

(Title III, 56 Stat. 177, as amended; 60 Stat. 207; 50 U. S. C. App. Supp. 633; CPA Dir. 44; 11 F.R. 8936)

Issued this 16th day of October 1946.

WILSON W. WYATT,  
Housing Expediter.

## TABLE OF EQUIPMENT COVERED BY THIS SECTION

- Batching plants.  
 Cranes: Truck-mounted and crawler-type of  $\frac{3}{8}$ ,  $\frac{1}{2}$ ,  $\frac{3}{4}$ ,  $1\frac{1}{2}$ ,  $1\frac{1}{4}$  to 2, and  $2\frac{1}{2}$  cubic yard capacity. Equipped with shovel, dragline backhoe and other types of front ends.  
 Ditching machines.  
 Motor graders.  
 Portable air compressors from 100 c. f. m. to 500 c. f. m., inclusive.  
 Rock crushers, 25 tons per hour or under.  
 Tractors (track-laying).  
 Tractor type scrapers.  
 Wheel tractors 100 h. p. or over.  
 [F. R. Doc. 46-18845; Filed, Oct. 16, 1946;  
11:33 a. m.]

## TITLE 29—LABOR

## Chapter VI—NATIONAL WAGE STABILIZATION BOARD

## PART 807—WAGE ADJUSTMENT BOARD AREA WAGE RATES

## AREA WAGE RATES IN BUILDING AND CONSTRUCTION INDUSTRY

Pursuant to §§ 806.5 and 807.0 of the Regulations of the National Wage Stabilization Board (11 F. R. 8671 and 10999), the National Wage Stabilization Board herewith publishes the area wage rates applicable to jobs in the building and construction industry under the jurisdiction of the Wage Adjustment Board for six additional States, the States of Michigan (§ 807.21), Nebraska (§ 807.26), Oregon (§ 807.36), Wyoming (§ 807.49), Territory of Alaska (§ 807.50) and Territory of Hawaii (§ 807.51).

## § 807.21 Area wage rates for Michigan.

Alcona County.	
Alger County.	
Allegan County.	
Alpena County:	Building construction
Air tool op. (Jackhammers, vibrators)	\$1.10
Asbestos workers	1.80
Asbestos workers' imp.:	
1st year	1.00
2d year	1.10
3d year	1.25
4th year	1.40
Boilermakers	1.90
Boilermakers' helpers	1.65
Bricklayers	1.90
Carpenters, journeymen	1.45
Cement finishers	1.625
Electricians	1.50
Glaziers	1.10
Iron workers:	
Structural	2.00
Ornamental	2.00
Reinforcing	1.75
Laborers:	
Building	.975
Unskilled	.975
Lathers	1.50
Marble setters	1.375
Marble setters' helpers	1.30
Mason tenders	.975
Mortar mixers	1.05
Painters, brush	1.125
Painters, spray and sign	1.25
Painters, structural steel	1.25
Piledrivers	1.45
Plasterers	1.90
Plasterers' tenders	1.10
Plumbers	1.50
Power equipment operators: See Wayne County except for following classifications:	
Mixers (14-S, or smaller)	1.10
Mixers (larger than 14-S)	1.85

## FEDERAL REGISTER, Thursday, October 17, 1946

	<i>Building construction</i>		<i>Building construction</i>		<i>Building construction</i>
Alpena County—Continued.		Berrien Count—Continued.		Cass County—Continued.	
Roofers:		Marble setters' helpers.....	\$1.375	Carpenters, journeymen.....	\$1.625
Composition.....	\$1.00	Mason tenders.....	1.075	Cement finishers.....	1.625
Slate and tile.....	1.25	Mortar mixers.....	1.15	Electricians.....	1.80
Sheet metal workers.....	1.25	Painters, brush:		Firemen and oilers.....	1.30
Soft floor layers (linoleum).....	1.45	Benton Harbor and St. Joseph.....	1.375	Glaziers.....	1.125
Steam fitters.....	1.50	Miles and Buchanan.....	1.50	Iron workers:	
Stone masons.....	1.90	Painters, spray.....	1.525	Structural.....	1.875
Terrazzo workers.....	1.375	Plasterers.....	1.90	Ornamental.....	1.875
Terrazzo workers' helpers.....	1.30	Plasterers' tenders.....	1.20	Reinforcing.....	1.875
Tile setters.....	1.375	Plumbers.....	1.625	Laborers, unskilled.....	1.075
Tile setters' helpers.....	1.30	Power equipment operators: See		Lathers.....	1.80
Truck drivers.....	1.025	Wayne County except for fol-		Marble setters.....	1.625
Welders.....	P.R.	lowing classifications:		Marble setters' helpers.....	1.30
Antrim County.		Mixers (14-S, or smaller).....	1.20	Mason tenders.....	1.075
Arenac County.		Mixers (larger than 14-S).....	1.85	Mortar mixers.....	1.15
Baraga County.		Roofers, composition.....	1.25	Painters:	
Barry County.		Roofers, slate and tile.....	1.25	Brush.....	1.375
Bay County:		Sheet metal workers' helpers.....	1.55	Spray.....	1.625
Air tool op. (jackhammers, vibrators).....	1.20	Stone masons.....	1.90	Brush (Dowagiac).....	1.50
Asbestos workers.....	1.80	Terrazzo workers.....	1.50	Plasterers.....	1.90
Asbestos workers' imp.:		Terrazzo workers' helpers.....	1.35	Plasterers' tenders.....	1.20
1st year.....	1.00	Tile setters.....	1.625	Plumbers.....	1.625
2d year.....	1.10	Tile setters' helpers.....	1.12	Power equipment operators: See	
3d year.....	1.25	Truck drivers.....	1.125	Wayne County except for fol-	
4th year.....	1.40	Welders.....	P.R.	lowing classifications:	
Boilermakers.....	1.90	Branch County.		Mixers (14-S, or smaller).....	1.20
Boilermakers' helpers.....	1.65	Calhoun County:		Mixers (larger than 14-S).....	1.85
Bricklayers.....	2.00	Air tool op. (Jackhammers, vibrators).....	1.20	Roofers, composition.....	1.25
Carpenters, journeymen.....	1.625	Asbestos workers.....	1.80	Roofers, slate and tile.....	1.25
Cement finishers.....	1.675	Asbestos workers' imp.:		Sheet metal workers.....	1.55
Electricians.....	1.875	1st year.....	1.00	Steam fitters.....	1.625
Firemen and oilers.....	1.30	2d year.....	1.10	Stone masons.....	1.90
Glaziers.....	1.385	3d year.....	1.25	Terrazzo workers.....	1.50
Iron workers:		4th year.....	1.40	Terrazzo workers' helpers.....	1.30
Structural.....	2.00	Boilermakers.....		Tile setters.....	1.625
Ornamental.....	2.00	Bricklayers.....		Tile setters' helpers.....	1.30
Reinforcing.....	1.75	Carpenters, journeymen.....		Truck drivers.....	1.125
Laborers:		Cement finishers.....		Welders.....	P.R.
Building.....	1.075	Branch County.		Charlevoix County.	
Unskilled.....	1.075	Cheboygan County.		Cheboygan County.	
Lathers, metal.....	1.80	Chippewa County:		Chippewa County:	
Mason tenders.....	1.075	Air tool op. (Jackhammers, vibrators).....	.75	Air tool op. (Jackhammers, vibrators).....	
Mortar mixers.....	1.15	Asbestos workers.....	1.00	Asbestos workers.....	
Painters, brush:		Asbestos workers' imp.:		1st year.....	1.00
Residential.....	1.40	2d year.....	1.10	2d year.....	
Industrial.....	1.50	3d year.....	1.25	3d year.....	
Painters, spray.....	1.75	4th year.....	1.40	4th year.....	
Painters, structural steel and swing stage.....	1.50	Boilermakers.....		Boilermakers.....	
Plasterers.....	2.00	Bricklayers.....		Boilermakers' helpers.....	
Plasterers' tenders.....	1.20	Carpenters, journeymen.....		Bricklayers.....	
Plumbers.....	1.625	Cement finishers.....		Carpenters, journeymen.....	1.375
Power equipment operators: See		Electricians.....		Cement finishers.....	1.25
Wayne County except for following classifications:		Firemen and oilers.....		Electricians.....	1.50
Mixers (14-S, or smaller).....	1.20	Glaziers.....		Firemen and oilers.....	1.30
Mixers (larger than 14-S).....	1.85	Iron workers:		Glaziers.....	1.00
Roofers.....	1.35	Structural.....		Iron workers:	
Sheet metal workers.....	1.50	Reinforcing.....		Structural.....	2.00
Steam fitters.....	1.625	Laborers:		Reinforcing.....	1.75
Stone masons.....	2.00	Building.....		Laborers:	
Terrazzo workers.....	1.375	Unskilled.....		Building.....	.70
Terrazzo workers' helpers.....	1.30	Marble setters.....		Unskilled.....	.70
Tile setters.....	1.375	Marble setters' helpers.....		Marble setters.....	1.25
Tile setters' helpers.....	1.30	Mason tenders.....		Marble setters' helpers.....	.70
Truck drivers.....	1.125	Painters, brush.....		Mason tenders.....	.75
Benzie County.		Painters, spray & swing stage.....		Painters, brush.....	1.25
Berrien County:		Painters, structural steel.....		Painters, spray & swing stage.....	1.50
Air tool op. (jackhammers, vibrators).....	1.20	Piledrivers (dock builders).....		Painters, structural steel.....	1.50
Asbestos workers.....	1.70	Pipe layers (concrete and clay).....		Piledrivers (dock builders).....	1.55
Asbestos workers' imp. ....	1.15	Plasterers.....		Pipe layers (concrete and clay).....	1.00
Boilermakers.....	1.90	Plasterers' tenders.....		Plasterers.....	1.375
Boilermakers' helpers.....	1.65	Plumbers.....		Plasterers' tenders.....	.75
Bricklayers.....	1.90	Well drillers.....		Plumbers.....	1.50
Carpenters, journeymen.....	1.625	Cass County:		Plumbers' helpers.....	.75
Cement finishers.....	1.625	Air tool op. (jackhammers, vibrators).....		Power equipment operators: See	
Electricians.....	1.80	Asbestos workers.....		Wayne County except for fol-	
Firemen and oilers.....	1.30	Asbestos workers' imp. ....		lowing classifications:	
Glaziers.....	1.125	Mixers (14-S, or smaller).....		Mixers (14-S, or smaller).....	.90
Iron workers:		Mixers (larger than 14-S).....		Mixers (larger than 14-S).....	1.85
Structural.....	1.875	Roofers, composition.....		Roofers, composition.....	1.25
Ornamental.....	1.875	Roofers, slate and tile.....		Roofers, slate and tile.....	1.25
Reinforcing.....	1.875	Sheet metal workers.....		Sheet metal workers.....	.75
Laborers:		Soft floor layers (linoleum).....		Soft floor layers (linoleum).....	1.375
Building.....	1.075	Steam fitters.....		Steam fitters.....	1.50
Unskilled.....	1.075	Stone masons or cutters.....		Stone masons or cutters.....	1.50
Lathers.....	1.80	Terrazzo workers.....		Terrazzo workers.....	1.25
Marble setters.....	1.625	Terrazzo workers' helpers.....		Terrazzo workers' helpers.....	.70

Building construction	Dickinson County—Continued.	Building construction	Building construction
Chippewa County—Continued.			Grand Traverse County—Con.
Tile setters.....	\$1.25	Painters:	
Tile setters' helpers.....	.70	Brush.....	\$1.125
Truck drivers:		Spray.....	1.375
3 T and under.....	.75	Piledrivermen.....	1.55
Over 3 T.....	.85	Plasterers.....	1.75
Welders.....	P. R.	Plumbers.....	1.50
Well drillers.....	1.00	Power equipment operators: See	
Well drillers' helpers.....	.60	Wayne County except for the	
Clare County.		following classifications:	
Clinton County.		Mixers (10-S, or smaller).....	.90
Crawford County.		Mixers (larger than 10-S).....	1.85
Delta County:		Roofers.....	1.25
Air tool op. (jackhammers, vi-		Sheet metal workers.....	1.25
brator).....	.90	Soft floor layers (linoleum).....	1.375
Asbestos workers.....	1.80	Steam fitters.....	1.50
Asbestos workers' imp.:		Steam fitters' helpers.....	.90
1st year.....	1.00	Stone masons.....	1.75
2d year.....	1.10	Terrazzo workers.....	1.44
3d year.....	1.25	Terrazzo workers' helpers.....	.75
4th year.....	1.40	Tile setters.....	1.44
Blacksmiths.....	1.25	Tile setters' helpers.....	.75
Blacksmiths' helpers.....	1.00	Truck drivers:	
Bricklayers.....	1.75	1 T and under.....	.75
Carpenters, journeymen.....	1.25	1 to 5 T inclusive.....	.85
Cement finishers.....	1.44	Over 5 T.....	1.00
Electricians.....	1.50	Welders.....	P. R.
Glaziers.....	1.125	Well drillers.....	1.25
Iron workers:		Well drillers' helpers.....	1.00
Structural.....	1.70	Eaton County.	
Reinforcing.....	1.66 1/4	Emmet County.	
Laborers, unskilled.....	.75	Genesee County:	
Lathers.....	1.375	Air tool op. (jackhammers, vi-	
Machinists.....	1.25	brator).....	1.40
Machinists' helpers.....	.90	Asbestos workers.....	1.80
Mason tenders.....	.80	Asbestos workers' imp.:	
Mortar mixers.....	.80	1st year.....	1.00
Painters:		2d year.....	1.10
Brush.....	1.125	3d year.....	1.25
Spray.....	1.375	4th year.....	1.40
Structural steel.....	1.375	Boilermakers.....	1.90
Pipe layers (concrete and clay).....	1.10	Boilermakers' helpers.....	1.65
Plasterers.....	1.75	Bricklayers.....	2.00
Plasterers' tenders.....	.80	Carpenters, journeymen.....	1.75
Plumbers.....	1.50	Cement finishers.....	1.725
Power equipment operators: See		Electricians.....	1.875
Wayne County except for fol-		Firemen and oilers.....	1.30
lowing classifications:		Glaziers.....	1.10
Mixers (14-S, or smaller).....	.90	Iron workers:	
Mixers (larger than 14-S).....	1.85	Structural.....	2.00
Roofers, composition.....	1.25	Ornamental.....	2.00
Sheet metal workers.....	1.25	Reinforcing.....	1.75
Steam fitters.....	1.50	Laborers, unskilled.....	1.275
Stone masons.....	1.75	Lathers.....	1.50
Tile setters.....	1.44	Marble setters.....	1.50
Tile setters' helpers.....	.75	Marble setters' helpers.....	1.80
Truck drivers:		Mason tenders.....	1.275
1 T or under.....	.75	Mortar mixers.....	1.35
1 to 5 T, inclusive.....	.85	Painters:	
Over 5 T.....	1.00	Brush.....	1.625
Welders.....	P. R.	Spray.....	1.875
Well drillers.....	1.25	Piledrivermen.....	1.75
Well drillers' helpers.....	1.05	Plasterers.....	2.00
Dickinson County:		Plasterers' tenders.....	1.40
Air tool op. (jackhammers, vi-		Plumbers.....	1.875
brator).....	.90	Power equipment operators: See	
Asbestos workers.....	1.80	Wayne County except for fol-	
Asbestos workers' imp.:		lowing classifications:	
1st year.....	1.00	Mixers (14-S, or smaller).....	1.40
2d year.....	1.10	Mixers (larger than 14-S).....	1.85
3d year.....	1.25	Roofers.....	1.55
4th year.....	1.40	Roofers' app. ....	1.15
Boilermakers.....	1.90	Sheet metal workers.....	1.55
Boilermakers' helpers.....	1.65	Soft floor layers (linoleum).....	1.75
Bricklayers.....	1.75	Steam fitters.....	1.875
Carpenters, journeymen.....	1.375	Stone masons.....	2.00
Cement finishers.....	1.44	Terrazzo workers.....	1.4375
Electricians.....	1.50	Terrazzo workers' helpers.....	1.30
Firemen and oilers.....	1.30	Tile setters.....	1.50
Glaziers.....	1.125	Tile setters' helpers.....	1.30
Iron workers:		Truck drivers.....	1.325
Structural.....	1.70	Gladwin County.	
Ornamental.....	1.70	Gogebic County.	
Reinforcing.....	1.5625	Grand Traverse County:	
Laborers:		Air tool op. (jackhammer, vibra-	
Building.....	.75	tor).....	1.10
Unskilled.....	.75	Asbestos workers.....	1.80
Lathers.....	1.375	Asbestos workers' imp.:	
1st year.....	1.44	1st year.....	1.00
Marble setters.....	.75	2d year.....	1.10
Marble setters' helpers.....	.80	3d year.....	1.25
Mason tenders.....	.80	4th year.....	1.40
Mortar mixers.....	.80	Plumbers.....	1.875

	<i>Building construction</i>		<i>Building construction</i>		<i>Building construction</i>
Gratiot County—Continued.		Isabella County—Continued.		Kalamazoo County—Con.	
Stone masons	\$1.90	Marble setters' helpers	\$1.30	Carpenters, journeymen	\$1.625
Terrazzo workers	1.375	Mason tenders	.975	Cement finishers	1.625
Terrazzo workers' helpers	1.30	Mortar mixers	1.05	Electricians	1.75
Tile setters	1.375	Painters:		Firemen and oilers	1.30
Tile setters' helpers	1.30	Brush, residential	1.40	Glaziers	1.375
Truck drivers	1.125	Brush, industrial	1.50	Iron workers:	
Welders	P.R.	Piledrivermen	1.575	Structural	1.90
Hillsdale County.		Plasterers	1.90*	Ornamental	1.90
Houghton County.		Plasterers' tenders	1.10	Reinforcing	1.65
Huron County.		Plumbers	1.625	Laborers:	
Ingham County:		Power equipment operators: See		Building	1.075
Air tool op. (jackhammers, vi-		Wayne County except for fol-		Unskilled	1.075
brator)	1.30	lowing classifications:		Lathers	1.80
Asbestos workers	1.80	Mixers (14-S, or smaller)	1.10	Marble setters	1.50
Asbestos workers' imp.:		Mixers (larger than 14-S)	1.85	Marble setters' helpers	1.30
1st year	1.00	Roofers	1.35	Mason tenders	1.075
2d year	1.10	Sheet metal workers	1.50	Mortar mixers	1.15
3d year	1.25	Soft floor layers (linoleum)	1.575	Painters, brush	1.375
4th year	1.40	Steam fitters	1.625	Painters, spray	1.75
Boilermakers	1.90	Stone masons	1.90	Painters, structural steel	1.725
Boilermakers' helpers	1.65	Terrazzo workers	1.375	Piledrivermen	1.625
Bricklayers	2.00	Terrazzo workers' helpers	1.30	Plasterers	2.00
Carpenters, journeymen	1.675	Tile setters	1.375	Plasterers' tenders	1.20
Cement finishers	1.675	Tile setters' helpers	1.30	Plumbers	1.625
Electricians	1.75	Truck drivers	1.025	Power equipment operators: See	
Firemen and oilers	1.30	P.R.		Wayne County except for fol-	
Glaziers	1.25	Jackson County:		lowing classifications:	
Iron workers:		Mixers (14-S, or smaller)	1.20	Mixers (14-S, or smaller)	1.20
Structural		Asbestos workers	1.80	Mixers (larger than 14-S)	1.85
Reinforcing		Asbestos workers' imp.:		Roofers, composition	1.25
Laborers, unskilled	1.475	1st year	1.00	Roofers, slate and tile	1.25
Lathers, metal	1.80	2d year	1.10	Sheet metal workers	1.55
Marble setters	1.75	3d year	1.25	Soft floor layers (linoleum)	1.625
Marble setters' helpers	1.30	4th year	1.40	Steam fitters	1.625
Mason tenders	1.175	Boilermakers	1.90	Stone masons	2.00
Mortar mixers	1.25	Boilermakers' helpers	1.65	Terrazzo workers	1.50
Painters:		Bricklayers	2.00	Terrazzo workers' helpers	1.30
Brush		Carpenters, journeymen	1.625	Terrazzo base machine operators	1.50
Spray		Cement finishers	1.625	Tile setters	1.50
Structural steel		Electricians	1.875	Tile setters' helpers	1.30
Pile driver men		Firemen and oilers	1.30	Truck drivers	1.125
Pipe layers (concrete and clay)		Glaziers	1.375	Kalkaska County.	
Plasterers' tenders		Iron workers:		Kent County:	
Plumbers		structural	2.00	Air tool op. (jackhammers, vi-	
Power equipment operators. See		ornamental	2.00	brator)	1.20
Wayne County except for fol-		reinforcing	1.75	Asbestos workers	1.80
lowing classifications:		Laborers:		Asbestos workers' imp.:	
Mixers (14-S, or smaller)	1.30	building	1.075	1st year	1.00
Mixers (larger than 14-S)	1.85	unskilled	1.075	2d year	1.10
Roofers	1.50	Lathers	1.80	3d year	1.25
Sheet metal workers	1.55	Marble setters	1.675	4th year	1.40
Soft floor layers (linoleum)	1.675	Marble setters' helpers	1.30	Boilermakers	1.90
Steam fitters	1.75	Mason tenders	1.075	Boilermakers' helpers	1.65
Stone masons	2.00	Mortar mixers	1.15	Bricklayers	2.00
Terrazzo workers	1.70	Painters, brush	1.375	Carpenters, journeymen	1.625
Terrazzo workers' helpers	1.30	Painters, spray & swing stage	1.625	Cement finishers	1.625
Terrazzo base machine operators	1.50	Piledrivermen	1.625	Electricians	1.75
Tile setters	1.70	Plasterers	2.00	Firemen and oilers	1.30
Tile setters' helpers	1.30	Plasterers' tenders	1.20	Glaziers	1.43
Truck drivers	1.225	Plumbers	1.75	Iron workers:	
Ionia County.		Power equipment operators. See		Structural	1.90
Iosco County.		Wayne County except for fol-		Ornamental	1.90
Iron County.		lowing classifications:		Reinforcing	1.65
Isabella County:		Mixers (14-S, or smaller)	1.20	Laborers, building	1.075
Air-tool op. (jackhammers, vi-	1.10	Mixers (larger than 14-S)	1.85	Laborers, unskilled	1.075
brator)		Roofers:		Lathers	1.80
Asbestos workers	1.80	composition	1.375	Marble setters	1.75
Asbestos workers' imp.:		slate and tile	1.375	Mason tenders	1.075
1st year	1.00	Sheet metal workers	1.55	Mortar mixers	1.15
2d year	1.10	Soft floor layers (linoleum)	1.625	Painters:	
3d year	1.25	Steam fitters	1.75	Brush	1.375
4th year	1.40	Stone masons	2.00	Spray	1.625
Blacksmiths	1.25	Terrazzo workers	1.675	Structural steel and swing stage	1.60
Boilermakers	1.90	Terrazzo workers' helpers	1.30	Piledrivermen	1.625
Boilermakers' helpers	1.65	Title setters	1.675	Plasterers	2.00
Bricklayers	1.90	Title setters' helpers	1.30	Plasterers' tenders	1.20
Carpenters, journeymen	1.575	Truck drivers	1.125	Plumbers	1.625
Cement finishers	1.625	Kalamazoo County:		Power equipment operators. See	
Electricians	1.875	Air tool op. (Jackhammers, vi-		Wayne County except for fol-	
Firemen and oilers	1.30	brator)		lowing classifications:	
Glaziers	1.20	Asbestos workers	1.80	Mixers (14-S, or smaller)	1.20
Iron workers:		Asbestos workers' imp.:		Mixers (larger than 14-S)	1.85
Structural		1st year	1.00	Roofers, composition	1.30
Ornamental		2d year	1.10	Sheet metal workers	1.40
Reinforcing		3d year	1.25	Soft floor layers (linoleum)	1.625
Laborers:		4th year	1.40	Steam fitters	1.625
Building		Boilermakers	1.90	Stone masons	2.00
Unskilled		Boilermakers' helpers	1.65	Terrazzo workers	1.75
Lathers	1.80	Bricklayers	1.90	Terrazzo workers' helpers	1.30
Marble setters	1.375	Boilermakers' helpers	1.65	Title setters	1.75

	<i>Building construction</i>		<i>Building construction</i>		<i>Building construction</i>
Kent County—Continued.		Manistee County—Continued.		Midland County—Continued.	
Tile setters' helpers.....	\$1.30	Mason tenders.....	\$0.975	Boilermakers' helpers.....	\$1.65
Truck drivers.....	1.125	Mortar mixers.....	1.05	Bricklayers.....	2.00
Keweenaw County.		Painters:		Carpenters, journeymen.....	1.625
Lake County.		Brush.....	1.00	Cement finishers.....	1.625
Lapler County.		Spray.....	1.25	Electricians.....	1.875
Leelanau County.		Piledrivermen.....	1.45	Firemen and oilers.....	1.30
Lenawee County:		Plasterers.....	1.80	Glaziers.....	1.385
Air tool op. (Jackhammers, vibrators).....	1.25	Plasterers' tenders.....	1.10	Iron workers:	
Asbestos workers.....	1.75	Structural.....	1.625	Structural.....	2.00
Asbestos workers' imp.: 1st year.....	.95	Ornamental.....		Ornamental.....	2.00
2d year.....	1.05	Reinforcing.....		Reinforcing.....	1.75
3d year.....	1.15	Power equipment operators (see Wayne County except for following classifications):		Laborers:	
4th year.....	1.30	Mixers (14-S, or smaller).....	1.10	Building.....	1.075
Boilermakers.....	2.00	Mixers (larger than 14-S).....	1.85	Unskilled.....	1.075
Boilermakers' helpers.....	1.875	Roofers, composition.....	1.30	Lathers, metal.....	1.80
Bricklayers.....	1.90	Sheet metal workers.....	1.40	Machinists.....	1.50
Carpenters, journeymen.....	1.625	Soft floor layers (linoleum).....	1.45	Marble setters.....	1.375
Cement finishers.....	1.625	Steam fitters.....	1.625	Marble setters' helpers.....	1.30
Electricians.....	2.00	Stone masons.....	1.80	Mason tenders.....	1.075
Firemen and oilers.....	1.30	Terrazzo workers.....	1.25	Mortar mixers.....	1.15
Glaziers.....	1.375	Tile setters.....	1.50	Painters, brush:	
Iron workers:		Residential.....		Residential.....	1.40
Structural.....	2.00	Industrial.....		Industrial.....	1.50
Reinforcing.....	1.625	Truck drivers.....	1.025	Piledrivermen.....	1.625
Laborers, unskilled.....	1.125	Marquette County:		Plasterers.....	2.00
Lathers.....	1.80	Mason County:		Plasterers' tenders.....	1.20
Marble setters.....	1.90	Air tool op. (Jackhammers, vibrators).....	1.10	Plumbers.....	1.625
Marble setters' helpers.....	1.40	Asbestos workers.....	1.80	Power equipment operators (see Wayne County except for following classifications):	
Mason tenders.....	1.125	1st year.....	1.00	Mixers (14-S, or smaller).....	1.20
Mortar mixers.....	1.20	2d year.....	1.10	Mixers (larger than 14-S).....	1.85
Painters:		3d year.....	1.25	Roofers.....	1.35
Brush.....	1.375	4th year.....	1.40	Sheet metal workers.....	1.50
Spray.....	1.625	Boilermakers.....	1.90	Soft floor layers (linoleum).....	1.625
Structural steel.....	1.625	Bricklayers.....	1.65	Steam fitters.....	1.625
Sign.....	1.525	Carpenters, journeymen.....	1.80	Stone masons.....	2.00
Plasterers.....	1.90	Cement finishers.....	1.45	Terrazzo workers.....	1.375
Plasterers' tenders.....	1.25	Firemen and oilers.....	1.625	Terrazzo workers' helpers.....	1.30
Plumbers.....	1.75	Glaziers.....	1.00	Tile setters.....	1.375
Power equipment operators: See Wayne County except for following classifications:		Iron workers:		Tile setters' helpers.....	1.30
Mixers (14-S, or smaller).....	1.25	Structural.....	1.90	Truck drivers.....	1.125
Mixers (larger than 14-S).....	1.85	Ornamental.....	1.90	Welders.....	P.R.
Roofers, composition.....	1.55	Reinforcing.....	1.65	Well drillers.....	1.50
Sheet metal workers.....	1.875	Laborers:		Missaukee County:	
Steam fitters.....	1.75	Building.....	.975	Monroe County:	
Stone masons.....	1.90	Unskilled.....	.975	Air tool op. (Jackhammers, vibrators).....	1.40
Terrazzo workers.....	1.75	Lathers.....	1.50	Asbestos workers.....	1.75
Terrazzo workers' helpers.....	1.35	Marble setters.....	1.65	Blacksmiths.....	1.625
Terrazzo base grinders.....	1.625	Marble setters' helpers.....	1.30	Boilermakers.....	2.00
Tile setters.....	1.875	Mason tenders.....	.975	Bricklayers.....	1.875
Tile setters' helpers.....	1.40	Mortar mixers.....	1.05	Carpenters, journeymen.....	1.725
Truck drivers:		Painters, brush:		Cement finishers.....	1.97
Stake, all sizes.....	1.275	Sign.....		Electricians.....	2.00
Pick up.....	1.275	Spray.....		Firemen and oilers.....	1.30
Semi and double bottom.....	1.30	Structural steel.....		Glaziers.....	1.40
Dump.....	1.375	Piledrivermen.....		Iron workers:	
Welders.....		Plasterers.....		Structural.....	2.00
Livingston County.		Plasterers' tenders.....		Reinforcing.....	1.625
Luce County.		Plumbers.....		Laborers:	
Mackinac County.		Power equipment operators (see Wayne County except for following classifications):		Building.....	1.275
Macomb County.		Mixers (14-S, or smaller).....	1.10	Unskilled.....	1.275
Manistee County:		Roofers, composition.....	1.85	Lathers.....	1.80
Air tool op. (Jackhammers, vibrators).....	1.10	Roofers, slate and tile.....	1.25	Machinists.....	1.50
Asbestos workers.....	1.80	Sheet metal workers.....	1.40	Marble setters.....	1.875
Asbestos workers' imp.: 1st year.....	1.00	Soft floor layers (linoleum).....	1.45	Marble setters' helpers.....	1.40
2d year.....	1.10	Steam fitters.....	1.625	Mason tenders.....	1.275
3d year.....	1.25	Stone masons.....	1.80	Mortar mixers.....	1.35
4th year.....	1.40	Terrazzo workers.....	1.25	Painters, brush:	
Boilermakers.....	1.90	Sign.....		Sign.....	1.525
Boilermakers' helpers.....	1.65	Spray.....		Spray.....	1.625
Bricklayers.....	1.80	Structural steel.....		Piledrivermen.....	1.725
Carpenters, journeymen.....	1.45	Plasterers.....		Plasterers.....	2.00
Cement finishers.....	1.625	Plasterers' tenders.....		Plasterers' tenders.....	1.40
Electricians.....	1.75	Plumbers.....		Plumbers.....	1.75
Firemen and oilers.....	1.30	Power equipment operators. See Wayne County except for following classifications:		Power equipment operators. See Wayne County except for following classifications:	
Iron workers:		Mixers (14-S, or smaller).....	1.40	Mixers (14-S, or smaller).....	1.40
Structural.....	1.90	Mixers (larger than 14-S).....	1.85	Mixers (larger than 14-S).....	1.85
Ornamental.....	1.90	Roofers, slate and tile.....	1.725	Roofers, slate and tile.....	1.725
Reinforcing.....	1.65	Sheet metal workers.....	1.875	Sheet metal workers.....	1.875
Laborers:		Soft floor layers (linoleum).....	1.725	Steam fitters.....	1.75
Building.....	.975	Stone masons.....	2.00	Terrazzo workers.....	1.75
Unskilled.....	.975	Terrazzo workers' helpers.....			
Lathers.....	1.80				
Marble setters.....	1.50				
Marble setters' helpers.....	1.30				

## FEDERAL REGISTER, Thursday, October 17, 1946

	<i>Building construction</i>		<i>Building construction</i>		<i>Building construction</i>
Monroe County—Continued.		Ottawa County—Continued.		Saginaw County—Continued.	
Terrazzo workers' helpers	\$1.35	Cement finishers	\$1.625	Terrazzo workers	\$1.375
Terrazzo base grinders	1.625	Electricians	1.75	Terrazzo workers' helpers	1.30
Tile setters	1.75	Firemen and oilers	1.30	Tile settlers	1.375
Tile setters' helpers	1.40	Glaziers	1.375	Tile setters' helpers	1.30
Truck drivers:		Iron workers:		Truck drivers	1.125
Stake all sizes	1.275	Structural	1.90	Welders	P. R.
Pick up	1.275	Ornamental	1.90	St. Clair County:	
Semi and double bottom	1.30	Reinforcing	1.65	Air tool op. (jackhammermen, vibrator)	1.25
Dump	1.375	Laborers:		Asbestos workers	1.90
Welders	P. R.	Building	1.075	Asbestos workers' imp.:	
Montcalm County.		Unskilled	1.075	1st year	1.00
Montmorency County.		Lathers	1.80	2d year	1.15
Muskegon County:		Marble setters	1.65	3d year	1.30
Air tool op. (jackhammermen, vibrator)	1.25	Marble setters' helpers	1.30	4th year	1.45
Asbestos workers	1.80	Mason tenders	1.075	Blacksmiths	1.625
Asbestos workers' imp.:		Mortar mixers	1.15	Boilermakers	1.90
1st year	1.00	Painters, brush	1.375	Boilermakers' helpers	1.65
2d year	1.10	Painters, spray	1.875	Bricklayers	2.00
3d year	1.25	Painters, structural steel	1.625	Carpenters, journeymen	1.825
4th year	1.40	Plasterers	2.00	Cement finishers	1.725
Boilermakers	1.90	Plasterers' tenders	1.20	Electricians	1.875
Boilermakers' helpers	1.65	Plumbers	1.625	Firemen and oilers	1.30
Bricklayers	2.00	Power equipment operators (See Wayne County except for following classifications):		Glaziers	1.61
Carpenters, journeymen	1.625	Mixers (14-S, or smaller) portable	1.20	Iron workers:	
Cement finishers	1.625	Mixers (larger than 14-S)	1.85	Structural	2.00
Electricians	1.75	Hoists on steel	1.90	Ornamental	2.00
Firemen and oilers	1.30	Roofers:		Reinforcing	1.75
Glaziers	1.43	Composition	1.375	Laborers:	
Iron workers:		Slate and tile	1.375	Building	1.125
Structural	1.90	Sheet metal workers	1.40	Unskilled	1.125
Ornamental	1.90	Soft floor layers (linoleum):		Lathers:	
Reinforcing	1.65	Grand Haven	1.625	Residential	1.90
Laborers:		Holland	1.50	Industrial	2.00
Building	1.125	Steam fitters	1.625	Marble setters	2.00
Unskilled	1.125	Stone masons	2.00	Marble setters' helpers	1.40
Lathers	1.80	Terrazzo workers	1.25	Mason tenders	1.125
Marble setters	1.65	Tile setters	1.75	Mortar mixers	1.20
Marble setters' helpers	1.30	Tile setters' helpers	1.30	Painters:	
Mason tenders	1.125	Truck drivers	1.125	Brush	1.50
Mortar mixers	1.20	Welders	P. R.	Sign	1.65
Painters, brush	1.375	Presque Isle County.		Spray	1.75
Painters:		Roscommon County.		Piledrivermen	1.825
Spray	1.875	Saginaw County:		Plasterers	2.00
Structural steel	1.625	Air tool op. (jackhammermen, vibrator)	1.20	Plasters' tenders	1.25
Piledrivermen	1.625	Asbestos workers	1.80	Plumbers	1.75
Plasterers	2.00	Asbestos workers' imp.:		Power equipment operators (See Wayne County except for following classifications):	
Plasterers' tenders	1.25	1st year	1.00	Mixers (14-S, or smaller)	1.25
Plumbers	1.625	2d year	1.10	Mixers (larger than 14-S)	1.85
Power equipment operators (See Wayne County except for following classifications):		3d year	1.25	Roofers:	
Mixers (14-S, or smaller)	1.25	4th year	1.40	Composition	1.55
Mixers (larger than 14-S)	1.85	Boilermakers	1.90	Slate and tile	1.55
Roofers:		Boilermakers' helpers	1.65	Sheet metal workers	1.875
Composition	1.375	Bricklayers	2.00	Soft floor layers (linoleum)	1.825
Slate and tile	1.375	Carpenters, journeymen	1.625	Steam fitters	1.75
Helpers	1.00	Cement finishers	1.675	Stone masons	2.00
Sheet metal workers	1.40	Electricians	1.875	Terrazzo workers	1.75
Soft floor layers (linoleum)	1.625	Firemen and oilers	1.30	Terrazzo workers' helpers	1.35
Steam fitters	1.625	Glaziers	1.385	Terrazzo base grinders	1.625
Stone masons	2.00	Iron workers:		Tile setters	1.875
Terrazzo workers	1.25	Structural	2.00	Tile setters' helpers	1.40
Tile setters	1.75	Ornamental	2.00	Tile setters' improvers	1.683/4
Tile setters' helpers	1.30	Reinforcing	1.75	Track drivers:	
Truck drivers	1.175	Laborers:		Stake all sizes	1.275
Newaygo County.		Building	1.075	Semi and double bottom	1.30
Oakland County (same as Wayne County).		Unskilled	1.075	Pick up	1.275
Oceana County.		Lathers, metal	1.80	Dump	1.375
Ogemaw County.		Marble setters	1.375	St. Joseph County:	
Ontonagon County.		Marble setters' helpers	1.30	Air tool op. (jackhammermen, vibrator)	1.20
Osceola County.		Mason tenders	1.075	Asbestos workers	1.80
Oscoda County.		Mortar mixers	1.15	Asbestos workers' imp.:	
Otsego County.		Painters:		1st year	1.00
Ottawa County:		Brush	1.50	2d year	1.10
Air tool op. (jackhammermen, vibrator)	1.20	Spray	1.60	3d year	1.25
Asbestos workers	1.80	Piledrivermen	1.625	4th year	1.40
Asbestos workers' imp.:		Plasterers	2.00	Boilermakers	1.90
1st year	1.00	Plasterers' tenders	1.20	Boilermakers' helpers	1.65
2d year	1.10	Plumbers	1.75	Bricklayers	1.90
3d year	1.25	Power equipment operators (see Wayne County except for following classifications):		Carpenters, journeymen	1.50
4th year	1.40	Mixers (14-S, or smaller)	1.20	Cement finishers	1.625
Boilermakers	1.90	Mixers (larger than 14-S)	1.85	Electricians	1.75
Boilermakers' helpers	1.65	Roofers	1.35	Firemen and oilers	1.30
Bricklayers	2.00	Sheet metal workers	1.50	Glaziers	1.25
Carpenters, journeymen (Holland area)	1.50	Steam fitters	1.75	Iron workers:	
Carpenters, journeymen (Grand Haven area)	1.625	Structural	1.90	Ornamental	1.90

**FEDERAL REGISTER, Thursday, October 17, 1946**

12161

St. Joseph County—Con.	Building construction	Washtenaw County—Con.	Building construction	construction Building
Laborers:		Asbestos workers' imp.:		
Building	\$1.075	1st year	\$1.00	
Unskilled	1.075	2d year	1.15	
Lathers	1.80	3d year	1.30	
Marble setters	1.80	4th year	1.45	
Marble setters' helpers	1.30	Blacksmiths	1.625	
Mason tenders	1.075	Boilermakers	1.90	
Mortar mixers	1.15	Boilermakers' helpers	1.65	
Painters:		Bricklayers	2.00	
Brush	1.25	Carpenters, journeymen	1.825	
Spray	1.60	Cement finishers	1.725	
Structural steel	1.60	Electricians	1.90	
Piledrivermen	1.50	Firemen and oilers	1.30	
Plasterers	1.90	Glaziers	1.61	
Plasterers' tenders	1.20	Iron workers:		
Plumbers	1.625	Structural	2.00	
Power equipment operators (see Wayne County except for following classifications):		Ornamental	2.00	
Mixers (14-S, or smaller)	1.20	Reinforcing	1.75	
Mixers (larger than 14-S)	1.85	Laborers:		
Roofers	1.25	Building	1.275	
Sheet metal workers	1.55	Unskilled	1.275	
Soft floor layers (linoleum)	1.50	Lathers, industrial	2.00	
Steam fitters	1.625	Lathers, residential	1.90	
Stone masons	1.90	Marble setters	2.00	
Terrazzo workers	1.80	Marble setters' helpers	1.40	
Terrazzo workers' helpers	1.30	Mason tenders	1.275	
Tile setters	1.80	Mortar mixers	1.35	
Tile setters' helpers	1.30	Painters, brush	1.625	
Truck drivers	1.125	Piledrivermen	1.825	
Sanilac County.		Plasterers	2.00	
Schoolcraft County.		Plasterers' tenders	1.40	
Shiawassee County:		Plumbers	1.90	
Air tool op. (jackhammers, vibrator)	1.20	Power equipment operators (see Wayne County except for following classifications):		
Asbestos workers	1.80	Mixers (14-S, or smaller) portable	1.40	
Asbestos workers' imp.:		Mixers (larger than 14-S)	1.85	
1st year	1.00	Roofers, composition	1.55	
2d year	1.10	Roofers, slate and tile	1.55	
3d year	1.25	Sheet metal workers	1.875	
4th year	1.40	Soft floor layers (linoleum)	1.825	
Boilermakers	1.90	Steam fitters	1.90	
Boilermakers' helpers	1.65	Stone masons	2.00	
Bricklayers	2.00	Terrazzo workers	1.75	
Carpenters, journeymen	1.50	Terrazzo workers' helpers	1.35	
Cement finishers	1.725	Terrazzo base grinders	1.625	
Electricians	1.875	Tile setters	1.825	
Firemen and oilers	1.30	Tile setters' helpers	1.40	
Glaziers	1.10	Tile setters' improvers	1.683	
Iron workers:		Truck drivers:		
Structural	2.00	Stake all sizes	1.275	
Ornamental	2.00	Pick up	1.275	
Reinforcing	1.75	Semi and double bottom	1.30	
Laborers:		Dump	1.375	
Building	1.075	Welders	P.R.	
Unskilled	1.075	Wayne County (including Ypsilanti in Washtenaw County):		
Lathers	1.80	Air tool op. (jackhammers, vibrator)	1.40	
Marble setters	1.50	Asbestos workers	1.90	
Mason tenders	1.075	Asbestos workers' imp.:		
Mortar mixers	1.15	1st year	1.00	
Painters:		2d year	1.15	
Brush	1.375	3d year	1.30	
Spray	1.625	4th year	1.45	
Structural	1.625	Blacksmiths	1.625	
Piledrivermen	1.50	Boilermakers	1.90	
Plasterers	2.00	Boilermakers' helpers	1.65	
Plasterer's tenders	1.20	Bricklayers	2.00	
Plumbers	1.875	Carpenters, journeymen	1.825	
Power equipment operators (see Wayne County except for following classifications):		Cement finishers	1.725	
Mixers (14-S, or smaller)	1.20	Electricians	2.00	
Mixers (larger than 14-S)	1.85	Oilers	1.30	
Roofers	1.25	Glaziers	1.61	
Sheet metal workers	1.55	Iron workers:		
Soft floor layers (linoleum)	1.50	Structural	2.00	
Steam fitters	1.875	Ornamental	2.00	
Stone masons	2.00	Reinforcing	1.75	
Terrazzo workers	1.50	Laborers:		
Terrazzo workers' helpers	1.30	Building	1.275	
Tile setters	1.50	Unskilled	1.275	
Tile setters' helpers	1.30	Lathers, industrial	2.00	
Truck drivers	1.125	Lathers, residential	1.90	
Tuscola County.		Machinists	1.50	
Van Buren County.		Marble setters	2.00	
Washtenaw County:		Marble setters' helpers	1.40	
Air tool op. (jackhammers, vibrator)	1.40	Mason tenders	1.275	
Asbestos workers	1.90			

Statewide rates	Heavy and highway construction		
	Zone 1	Zone 2	Zone 3
Operating engineers:			
Class A, including asphalt plant operator, screening plant operator, washing plant operator, crane operator, crusher operator, dragline operator, shovel operator, roller operator, scraper operator, locomotive operator, bulldozer operator, paver operator (5 bags or more), tractor operator, elevating grading operator, pile driving operator, blade grader operator (power), motor patrol operator, trenching machine operator, finishing machine operator (asphalt), drill dresser, mechanic, hoisting engineer, blacksmith, pump operator (6" or over)	\$1.75	\$1.75	\$1.75
Class B, air compressor operator	1.50	1.50	1.50
Class C, including asphalt plant drier or boiler fireman, oiler, engine man's assistant, fireman and mechanic's helper			
Class D, flexplane operator, power bin operator, clifplane operator and grader operator (self propelled fine grade), finishing machine operator (concrete)	1.50	1.25	\$1.25
Class D-1, power bin operator	1.4375	1.25	1.25
Class E, rubber tired tractor operator	1.675	1.4375	1.4375

The geographical zones used above are as follows:

**Zone 1:** Consisting of Wayne, Monroe, Washtenaw, Oakland, Macomb and Genesee Counties.

**Zone 2:** Consisting of Hillsdale, Branch, St. Joseph, Lenawee, St. Clair, Cass, Berrien, Van Buren, Kalamazoo, Calhoun, Jackson, Livingston, Ingham, Eaton, Barry, Allegan, Lapeer, Shiawassee, Clinton, Ionia, Kent, Ottawa, Muskegon, Montcalm, Gratiot, Saginaw, Tuscola, Sanilac, Huron, Bay and Midland Counties.

**Zone 3:** Consisting of the remaining Counties in the State of Michigan all being north of the Counties included in Zone 2.

#### \$ 807.26 Area wage rates for Nebraska.

	Building Construction
Adams County:	
Air tool op. (Jackhammerman, vibrator)	\$0.95
Asbestos workers	1.65
Asbestos workers' imp.	.85
Bolermakers	1.75
Bolermakers' helpers	1.50
Bricklayers	1.75
Carpenters, journeymen	1.40
Cement finishers	1.40
Electricians	1.58
Firemen and oilers	1.00
Iron workers:	
Structural	1.75
Ornamental	1.75
Reinforcing	1.75
Laborers:	
Building	.90
Unskilled	.90
Lathers	1.375
Marble setters	1.25
Mason tenders	1.00
Mortar mixers	1.00
Painters:	
Brush	1.35
Spray	1.60
Structural steel	1.60
Plasterers	1.65
Plasterers' tenders	1.00
Plumbers	1.50
Power equipment operators:	
Air compressors	1.25
Blade graders	1.25
Bulldozers	1.50
Cranes, derricks, draglines	1.65
Distributors (bituminous surfaces)	1.50
Finishing mach. (com. conc. pave.)	1.25

	Building construction	Building construction
Adams County—Continued.		
Holsts	\$1.25	
Mixers	1.25	
Motor graders	1.50	
Piledrivers	1.375	
Pumps	1.25	
Rollers	1.25	
Scrapers	1.50	
Shovels	1.65	
Tractors:		
Wheel	1.125	
Pusher	1.35	
Crawler	1.25	
With carryall	1.50	
Trenching machines	1.50	
Roofers	1.25	
Roofers' helpers	.95	
Sheet metal workers	1.50	
Soft floor layers (linoleum)	1.35	
Steam fitters	1.50	
Stone masons	1.75	
Terrazzo workers	1.25	
Tile setters	1.25	
Truck drivers:		
Under 1½ tons to 5 tons	.90	
1½ tons to 5 tons	.95	
Over 5 tons	1.05	
Antelope County:		
Asbestos workers	1.50	
Iron workers:		
Structural	1.50	
Ornamental	1.50	
Reinforcing	1.375	
Other classifications. See eastern Nebraska rates.		
Arthur County:		
Asbestos workers	1.75	
Iron workers:		
Structural	1.50	
Ornamental	1.50	
Reinforcing	1.44	
Other classifications. See western Nebraska rates.		
Banner County:		
Asbestos workers	1.75	
Iron workers:		
Structural	1.50	
Ornamental	1.50	
Reinforcing	1.44	
Other classifications. See western Nebraska rates.		
Blaine County.		
Boone County:		
Asbestos workers	1.65	
Iron workers:		
Locations nearer to Omaha, Nebraska, than to Sioux City, Iowa:		
Structural	1.75	
Ornamental	1.75	
Reinforcing	1.75	
Locations nearer to Sioux City, Iowa, than to Omaha, Nebraska:		
Structural	1.50	
Ornamental	1.50	
Reinforcing	1.375	
Other classifications. See eastern Nebraska rates.		
Box Butte County:		
Asbestos workers	1.75	
Iron workers:		
Structural	1.50	
Ornamental	1.50	
Reinforcing	1.44	
Other classifications. See western Nebraska rates.		
Boyd County:		
Asbestos workers	1.65	
Iron workers:		
Structural	1.50	
Ornamental	1.50	
Reinforcing	1.375	
Other classifications. See eastern Nebraska rates.		
Brown County:		
Asbestos workers	1.65	
Iron workers:		
Structural	1.50	
Ornamental	1.50	
Reinforcing	1.375	
Other classifications. See eastern Nebraska rates.		
Clay County:		
Asbestos workers	1.65	
Iron workers:		
Structural	1.50	
Ornamental	1.50	
Reinforcing	1.375	
Other classifications. See eastern Nebraska rates.		
Cass County:		
Asbestos workers	1.65	
Iron workers:		
Structural	1.75	
Ornamental	1.75	
Reinforcing	1.75	
Other classifications. See eastern Nebraska rates.		
Cedar County:		
Asbestos workers	1.65	
Iron workers:		
Structural	1.50	
Ornamental	1.50	
Reinforcing	1.375	
Other classifications. See eastern Nebraska rates.		
Chase County:		
Asbestos workers	1.75	
Iron workers:		
Structural	1.50	
Ornamental	1.50	
Reinforcing	1.44	
Other classifications. See eastern Nebraska rates.		
Cherry County:		
Asbestos workers:		
Locations nearer to Denver, Colo., than to Omaha, Nebr.	1.75	
Locations nearer to Omaha, Nebr., than to Denver, Colo.	1.65	
Iron workers:		
Locations nearer to Cheyenne, Wyo., than to Sioux City, Iowa:		
Structural	1.50	
Ornamental	1.50	
Reinforcing	1.44	
Locations nearer to Sioux City, Iowa, than to Cheyenne, Wyo.:		
Structural	1.50	
Ornamental	1.50	
Reinforcing	1.375	
Other classifications. See western Nebraska rates.		
Cheyenne County:		
Asbestos workers	1.75	
Iron workers:		
Structural	1.50	
Ornamental	1.50	
Reinforcing	1.375	
Other classifications. See western Nebraska rates.		
Clay County:		
Asbestos workers	1.65	

Clay County—Continued.	<i>Building construction</i>	Dodge County:	<i>Building construction</i>	Douglas County—Continued.	<i>Building construction</i>
Iron workers:		Air tool operator (Jackhammer-men, vibrator)	\$0.80	Truck drivers—Continued.	
Structural	\$1.75	Asbestos workers	1.65	1½ tons to 5 tons	\$0.80
Ornamental	1.75	Electricians	1.375	Over 5 tons	.90
Reinforcing	1.75	Iron workers:		Well drillers	1.50
Other classifications. See Eastern Nebraska rates.		Locations nearer to Omaha, Nebr., than to Sioux City, Iowa:		Well drillers' helpers	.925
Colfax County:		Structural	1.75	Waterproofers, dampproofers	1.375
Asbestos workers, structural	1.65	Ornamental	1.75	Dundy County:	
Iron workers:		Reinforcing	1.75	Asbestos workers	1.75
Locations nearer to Omaha, Nebraska, than to Sioux City, Iowa:		Laborers, building	.80	Iron workers:	
Structural	1.75	Laborers, unskilled	.80	Structural	1.70
Ornamental	1.75	Painters:		Ornamental	1.70
Reinforcing	1.75	Brush	1.15	Reinforcing	1.70
Locations nearer to Sioux City, Iowa, than to Omaha, Nebraska:		Spray	1.40	Other classifications—see western Nebraska rates.	
Structural	1.50	Structural steel	1.40	Fillmore County:	
Ornamental	1.50	Plasterers	1.75	Asbestos workers	1.65
Reinforcing	1.375	Soft floor layers (linoleum)	1.15	Iron workers:	
Other classifications. See Eastern Nebraska rates.		Other classifications. See eastern Nebraska rates.		Structural	1.75
Cuming County:		Douglas County:		Ornamental	1.75
Asbestos workers	1.65	Air tool operators (Jackhammer-men, vibrator)	1.05	Reinforcing	1.75
Iron workers:		Asbestos workers	1.65	Other classifications—see eastern Nebraska rates.	
Locations nearer to Omaha, Nebr., than to Sioux City, Iowa:		Asbestos workers', imp.	.85	Frontier County:	
Structural	1.75	Boilermakers	1.75	Asbestos workers:	
Ornamental	1.75	Boilermakers' helpers	1.50	Locations nearer to Denver, Colo., than to Omaha, Nebr.	1.75
Reinforcing	1.75	Bricklayers	1.825	Locations nearer to Omaha, Nebr., than to Denver, Colo.	1.65
Locations nearer to Sioux City, Iowa, than to Omaha, Nebr.:		Carpenters, journeymen	1.625	Iron workers:	
Structural	1.50	Cement finishers	1.625	Locations nearer to Cheyenne, Wyo., than to Omaha, Nebr.:	
Ornamental	1.50	Electricians	1.75	Structural	1.50
Reinforcing	1.375	Firemen and Oilers	1.00	Ornamental	1.50
Other classifications. See Eastern Nebraska rates.		Glaziers	1.40	Reinforcing	1.44
Custer County.		Iron workers, structural	1.75	Locations nearer to Omaha, Nebr., than to Cheyenne Wyo.:	
Dakota County:		Iron workers, ornamental	1.75	Structural	1.75
Asbestos workers	1.65	Iron workers, reinforcing	1.75	Ornamental	1.75
Iron workers:		Laborers, unskilled	.925	Reinforcing	1.75
Structural	1.50	Lathers	1.70	Other classifications—see western Nebraska rates.	
Ornamental	1.50	Machinists	1.625	Furnas County:	
Reinforcing	1.375	Marble setters	1.60	Asbestos workers	1.65
Other classifications. See eastern Nebraska rates.		Marble setters' helpers	1.00	Iron workers:	
Dawes County:		Mason tenders	1.05	Structural	1.75
Asbestos workers	1.75	Mortar mixers	1.05	Ornamental	1.75
Iron workers:		Painters, brush and sign	1.375	Reinforcing	1.75
Structural	1.50	Painters, spray	1.625	Locations nearer to Omaha, Nebr., than to Cheyenne Wyo.:	
Ornamental	1.50	Painters, structural steel	1.625	Structural	1.75
Reinforcing	1.44	Pipe layers (concrete and clay)	1.05	Ornamental	1.75
Other classifications. See western Nebraska rates.		Plasterers	1.75	Reinforcing	1.75
Dawson County:		Plasterers tenders	1.05	Other classifications—see western Nebraska rates.	
Asbestos workers	1.65	Plumbers	1.75	Furnas County:	
Iron workers:		Power equipment operators:		Asbestos workers	1.65
Locations nearer to Omaha, Nebr., than to Sioux City, Iowa:		Air compressors	1.375	Iron workers:	
Structural	1.75	Blade graders	1.50	Structural	1.75
Ornamental	1.75	Bulldozers	1.50	Ornamental	1.75
Reinforcing	1.75	Cranes, derricks, draglines	1.75	Reinforcing	1.75
Locations nearer to Sioux City, Iowa, than to Omaha, Nebr.:		Distributors (bituminous surfaces)	1.375	Plumbers	1.625
Structural	1.50	Finishing machines (cement concrete pavement)	1.375	Steamfitters	1.625
Ornamental	1.50	Hoists, 1 drum	1.50	Other classifications. See eastern Nebraska rates.	
Reinforcing	1.375	Hoists, 2 or more drums	1.75	Gage County:	
Other classifications. See western Nebraska rates.		Mixers	1.375	Asbestos workers	1.65
Deuel County:		Mixers, paving	1.75	Iron workers:	
Asbestos workers	1.75	Motor graders	1.50	Structural	1.75
Iron workers:		Piledrivers	1.75	Ornamental	1.75
Structural	1.50	Pumps	1.375	Reinforcing	1.75
Ornamental	1.50	Rollers	1.50	Plumbers	1.625
Reinforcing	1.375	Scrapers	1.50	Steamfitters	1.625
Other classifications. See western Nebraska rates.		Shovels	1.75	Other classifications. See eastern Nebraska rates.	
Dixon County:		Tractors	1.50	Garden County:	
Asbestos workers	1.65	Trenching machines	1.75	Asbestos workers	1.75
Iron workers:		Roofers, composition	1.375	Iron workers:	
Structural	1.50	Roofers, slate and tile	1.475	Structural	1.50
Ornamental	1.50	Sheet metal workers	1.50	Ornamental	1.50
Reinforcing	1.44	Soft floor layers (linoleum)	1.25	Reinforcing	1.44
Other classifications. See western Nebraska rates.		Steam fitters	1.75	Other classifications. See western Nebraska rates.	
Dixon County:		Stone masons	1.825	Garfield County:	
Asbestos workers	1.65	Terrazzo workers	1.60	Asbestos workers	1.65
Iron workers:		Terrazzo workers' helpers	1.00	Iron workers:	
Structural	1.50	Tile setters	1.60	Structural	1.50
Ornamental	1.50	Tile setters' helpers	1.00	Ornamental	1.50
Reinforcing	1.375	Truck drivers:		Reinforcing	1.375
Other classifications. See eastern Nebraska rates.		Under 1½ tons	.75	Other classifications. See eastern Nebraska rates.	

## FEDERAL REGISTER, Thursday, October 17, 1946

Grant County—Continued.	<i>Building construction</i>	<i>Building construction</i>	<i>Building construction</i>
Iron workers—Continued.			Kearney County—Continued.
Reinforcing	\$1.44	\$1.65	Other classifications—see eastern Nebraska rates.
Other classifications. See western Nebraska rates.			Keith County:
Greeley County:			Asbestos workers \$1.75
Asbestos workers	1.65		Iron workers:
Iron workers:			Structural 1.50
Locations nearer to Omaha, Nebr., than to Sioux City, Iowa:			Ornamental 1.50
Structural	1.75	1.75	Reinforcing 1.44
Ornamental	1.75	1.75	Other classifications—see western Nebraska rates.
Reinforcing	1.75	1.75	Keya Paha County.
Locations nearer to Sioux City, Iowa, than to Omaha, Nebr.:			Kimball County:
Structural	1.50	1.65	Asbestos workers 1.75
Ornamental	1.50	1.65	Iron workers:
Reinforcing	1.375	1.65	Structural 1.50
Other classifications. See eastern Nebraska rates.			Ornamental 1.50
Hall County:			Reinforcing 1.44
Air tool op. (jackhammers, vibrator)	.95		Other classifications—see western Nebraska rates.
Asbestos workers	1.65		Nebaska rates.
Asbestos workers' app., imp., helpers	.85		Knox County:
Boilermakers	1.75	1.75	Asbestos workers 1.65
Boilermakers' helpers	1.50	1.75	Iron workers:
Bricklayers	1.75	1.75	Structural 1.50
Carpenters, journeymen	1.375	1.75	Ornamental 1.50
Cement finishers	1.25	1.75	Reinforcing 1.375
Electricians	1.58	1.75	Other classifications—see eastern Nebraska rates.
Firemen and oilers	1.00	1.75	Lancaster County:
Iron workers:			Air tool op. (jackhammers, vi-
Structural	1.75	1.75	brator) .75
Ornamental	1.75	1.75	Asbestos workers 1.65
Reinforcing	1.75	1.75	Asbestos workers' imp. .85
Laborers:			Boilermakers 1.75
Building	.90		Boilermakers' helpers 1.50
Unskilled	.90		Bricklayers 1.75
Lathers	1.375		Carpenters, journeymen 1.50
Marble setters	1.25		Cement finishers 1.375
Mason tenders	1.00		Electricians 1.65
Mortar mixers	1.00		Firemen and oilers 1.00
Painters:			Glaziers 1.26
Brush	1.35		Iron workers, ornamental 1.75
Spray	1.60		Iron workers, reinforcing 1.75
Structural steel	1.60		Iron workers' apprentices 1.75
Plasterers	1.50		Laborers, building .70
Plasterers' tenders	1.00		Laborers, unskilled .70
Plumbers	1.50		Lathers 1.375
Plumbers' app. 1/yr., 40, 50, 60, 70, 80 percent.			Marble setters 1.45
Power equipment operators:			Mason tenders .85
Air compressors	1.25		Mortar mixers .85
Blade graders	1.25		Painters, brush 1.325
Bulldozers	1.50		Painters, spray 1.575
Cranes, derricks, draglines	1.65		Painters, structural steel 1.575
Distributors (bituminous surfaces)	1.50		Pipe layers (concrete and clay) .85
Finishing mach. (cem. conc. pave.)	1.25		Plasterers 1.75
Hoists	1.25		Plasterers' tenders .85
Mixers	1.25		Plumbers 1.625
Motor graders	1.50		Power equipment operators:
Piledrivers	1.375		Air compressors 1.25
Pumps	1.25		Blade graders 1.25
Rollers	1.25		Bulldozers 1.25
Scrapers	1.50		Asphalt plant engineer 1.25
Shovels	1.65		Cranes, derricks, draglines 1.50
Tractors:			Distributors (bituminous surfaces) 1.25
Wheel	1.125		Finishing mach. (cem. conc. pave.) 1.25
Crawler	1.25		Hoists 1.25
With carry-all scrapers	1.50		Mixers 1.25
Trenching machines			Motor graders 1.25
Roofers	1.25		Piledrivers 1.375
Roofers' helpers	.95		Pumps 1.25
Sheet metal workers	1.50		Rollers 1.25
Soft floor layers (linoleum)	1.35		Scrapers 1.25
Steam fitters	1.50		Shovels 1.50
Stone masons	1.75		Tractors 1.125
Terrazzo workers	1.25		Tractors, with carryall 1.35
Tile setters	1.25		Trenching machines 1.375
Truck drivers:			Roofers 1.25
Under 1½ tons	.90		Roofers' helpers .95
1½ tons to 5 tons	.95		Sheet metal workers 1.50
Over 5 tons	1.05		Soft floor layers (linoleum) 1.825
			Steam fitters 1.625
			Stone masons 1.75
			Terrazzo workers 1.25
			Tile setters 1.45
			Truck drivers:
			Under 1½ tons .75
			Over 1½ tons to 5 tons .80
			5 tons or more .90

Lincoln County:	<i>Building construction</i>	<i>Nance County:</i>	<i>Building construction</i>	<i>Building construction</i>
Asbestos workers:		Asbestos workers-----	\$1.65	Continued. <i>construction</i>
Locations nearer to Denver, Colo., than to Omaha, Nebr.	1.75	Iron workers:		Other classifications—see eastern Nebraska rates.
Locations nearer to Omaha, Nebr., than to Denver, Colo.	1.65	Locations nearer to Omaha, Nebr., than to Sioux City, Iowa:		Platte County:
Iron workers:		Iron workers:		Asbestos workers----- \$1.65
Locations nearer to Cheyenne, Wyo., than to Sioux City, Iowa:		Structural ----- 1.75		Iron workers:
Iron workers:		Ornamental ----- 1.75		Structural ----- 1.75
Structural ----- 1.50		Reinforcing ----- 1.75		Ornamental ----- 1.75
Ornamental ----- 1.50		Locations nearer to Sioux City, Iowa, than to Omaha, Nebr.:		Reinforcing ----- 1.75
Reinforcing ----- 1.44		Iron workers:		Other classifications—see eastern Nebraska rates.
Locations nearer to Sioux City, Iowa, than to Cheyenne, Wyo.:		Structural ----- 1.50		Redwillow County:
Iron workers:		Ornamental ----- 1.50		Asbestos workers:
Structural ----- 1.50		Reinforcing ----- 1.375		Locations nearer to Denver, Colo., than to Omaha, Nebr. 1.75
Ornamental ----- 1.50		Other classifications—see eastern Nebraska rates.		Locations nearer to Omaha, Nebr., than to Denver, Colo. 1.65
Reinforcing ----- 1.375		Nemaha County:		Other classifications—see western Nebraska rates.
Other classifications—see western Nebraska rates.		Asbestos workers----- 1.65		Richardson County:
Logan County:		Iron workers:		Asbestos workers----- 1.65
Asbestos workers:		Structural ----- 1.75		Iron workers:
Locations nearer to Denver, Colo., than to Omaha, Nebr.	1.75	Ornamental ----- 1.75		Structural ----- 1.75
Locations nearer to Omaha, Nebr., than to Denver, Colo.	1.65	Reinforcing ----- 1.75		Ornamental ----- 1.75
Iron workers:		Other classifications—see eastern Nebraska rates.		Reinforcing ----- 1.75
Locations nearer to Cheyenne, Wyo., than to Sioux City, Iowa:		Nuckolls County:		Other classifications—see eastern Nebraska rates.
Iron workers:		Asbestos workers----- 1.65		Rock County:
Structural ----- 1.50		Iron workers:		Asbestos workers----- 1.65
Ornamental ----- 1.50		Structural ----- 1.75		Iron workers:
Reinforcing ----- 1.44		Ornamental ----- 1.75		Structural ----- 1.50
Locations nearer to Sioux City, Iowa, than to Cheyenne, Wyo.:		Reinforcing ----- 1.75		Ornamental ----- 1.50
Iron workers:		Other classifications—see eastern Nebraska rates.		Reinforcing ----- 1.375
Structural ----- 1.50		Otoe County:		Other classifications—see eastern Nebraska rates.
Ornamental ----- 1.50		Asbestos workers----- 1.65		Saline County:
Reinforcing ----- 1.375		Iron workers:		Asbestos workers----- 1.65
Other classifications—see western Nebraska rates.		Structural ----- 1.75		Iron workers:
Loup County:		Ornamental ----- 1.75		Structural ----- 1.75
Asbestos workers----- 1.65		Reinforcing ----- 1.75		Ornamental ----- 1.75
Iron workers:		Other classifications—see eastern Nebraska rates.		Reinforcing ----- 1.75
Structural ----- 1.50		Perkins County:		Plumbers ----- 1.625
Ornamental ----- 1.50		Asbestos workers----- 1.75		Steamfitters ----- 1.625
Reinforcing ----- 1.375		Iron workers:		Other classifications—see eastern Nebraska rates.
Other classifications—see eastern Nebraska rates.		Structural ----- 1.50		Sarpy County—see Douglas County rates.
McPherson County:		Ornamental ----- 1.50		Saunders County:
Asbestos workers----- 1.75		Reinforcing ----- 1.44		Asbestos workers----- 1.65
Iron workers:		Other classifications—see western Nebraska rates.		Iron workers:
Structural ----- 1.50		Phelps County:		Structural ----- 1.75
Ornamental ----- 1.50		Asbestos workers----- 1.65		Ornamental ----- 1.75
Reinforcing ----- 1.44		Iron workers:		Reinforcing ----- 1.75
Other classifications—see western Nebraska rates.		Structural ----- 1.75		Painters:
Madison County:		Ornamental ----- 1.75		Brush ----- 1.15
Asbestos workers----- 1.75		Reinforcing ----- 1.75		Spray ----- 1.40
Iron workers:		Other classifications—see eastern Nebraska rates.		Structural steel ----- 1.40
Structural ----- 1.50		Pierce County:		Plasterers ----- 1.75
Ornamental ----- 1.50		Asbestos workers----- 1.65		Soft floor layers (linoleum) ----- 1.15
Reinforcing ----- 1.375		Iron workers:		Other classifications—see eastern Nebraska rates.
Other classifications—see eastern Nebraska rates.		Structural ----- 1.50		Scotts Bluff County:
Merrick County:		Ornamental ----- 1.50		Air tool op. (jackhammers, vi- brator) ----- 1.00
Asbestos workers----- 1.65		Reinforcing ----- 1.375		Asbestos workers----- 1.75
Iron workers:		Other classifications—see eastern Nebraska rates.		Improvers, 1st year ----- 1.175
Structural ----- 1.75		Platte County:		Improvers, 2d year ----- 1.275
Ornamental ----- 1.75		Asbestos workers----- 1.65		Improvers, 3d year ----- 1.325
Reinforcing ----- 1.75		Iron workers:		Improvers, 4th year ----- 1.375
Other classifications—see eastern Nebraska rates.		Structural ----- 1.50		Boilermakers ----- 1.75
Other classifications—see eastern Nebraska rates.		Ornamental ----- 1.50		Boilermakers' helpers ----- 1.50
Asbestos workers----- 1.65		Reinforcing ----- 1.375		Bricklayers ----- 1.75
Iron workers:		Other classifications—see eastern Nebraska rates.		Carpenters, journeymen ----- 1.375
Structural ----- 1.75		Platte County:		Cement finishers ----- 1.375
Ornamental ----- 1.75		Asbestos workers----- 1.65		Electricians ----- 1.50
Reinforcing ----- 1.75		Iron workers:		Firemen ----- 1.00
Other classifications—see eastern Nebraska rates.		Structural ----- 1.75		Officers ----- .85
Asbestos workers----- 1.75		Ornamental ----- 1.75		Glaziers ----- 1.25
Iron workers:		Reinforcing ----- 1.75		Iron workers:
Structural ----- 1.75		Locations nearer to Omaha, Nebr., than to Sioux City, Iowa:		Structural ----- 1.50
Ornamental ----- 1.75		Structural ----- 1.75		Ornamental ----- 1.50
Reinforcing ----- 1.75		Ornamental ----- 1.75		Reinforcing ----- 1.44
Other classifications—see eastern Nebraska rates.		Reinforcing ----- 1.75		Laborers:
Asbestos workers----- 1.75		Locations nearer to Sioux City, Iowa, than to Omaha, Nebr.:		Building ----- .85
Iron workers:		Structural ----- 1.50		Unskilled ----- .85
Structural ----- 1.50		Ornamental ----- 1.50		Lathers ----- 1.50
Ornamental ----- 1.50		Reinforcing ----- 1.375		Marble setters ----- 1.50
Reinforcing ----- 1.44		Other classifications—see eastern Nebraska rates.		Mason tenders ----- 1.00
Other classifications—see western Nebraska rates.		Plasterers ----- 1.75		Mortar mixers ----- 1.00

## FEDERAL REGISTER, Thursday, October 17, 1946

Scotts Bluff County—Con.	<i>Building construction</i>	Stanton County:	<i>Building construction</i>	York County:	<i>Building Construction</i>
Painters:		Asbestos workers	\$1.65	Asbestos workers	\$1.65
Brush	\$1.25	Asbestos workers	1.65	Iron workers:	
Brush	1.25	Iron workers:		Structural	1.75
Spray	1.375	Ornamental	1.50	Ornamental	1.75
Structural steel	1.375	Reinforcing	1.375	Reinforcing	1.75
Pipe layers (concrete and clay)	1.00	Other classifications—see eastern		Other classifications—see eastern	
Plasterers	1.625	Nebraska rates.		Nebraska rates.	
Plasterer' tenders	1.00	Thayer County:		Eastern Nebraska Wage Rates	
Plumbers	1.50	Asbestos workers	1.65	Air tool op. (Jackhammermen, vi-	
Power equipment operators:		Iron workers:		brator)	.75
Air compressors	1.00	Structural	1.75	Boilermakers	1.75
Asphalt plant engineer	1.25	Ornamental	1.75	Boilermakers' helpers	1.50
Blade graders	1.25	Reinforcing	1.75	Bricklayers	1.75
Bulldozers	1.25	Other classifications—see eastern		Carpenters, journeymen	1.375
Cranes, derricks, draglines	1.50	Nebraska rates.		Cement finishers	1.25
Distributors (bituminous sur-		Thomas County:		Electricians	1.58
faces)	1.25	Asbestos workers:		Firemen and oilers	1.00
Finishing mach. (cem., conc.,	1.25	Locations nearer to Denver,		Glaziers	1.26
pave.)		Colo., than to Omaha, Nebr.	1.75	Laborers:	
Hoists	1.25	Locations nearer to Omaha,		Building	.70
Mixers (10-S, or smaller)	1.00	Nebr., than to Denver, Colo.	1.65	Unskilled	.70
Mixers (larger than 10-S)	1.25	Iron workers: Locations nearer to		Lathers	1.375
Motor graders	1.25	Cheyenne, Wyoming, than to		Marble setters	1.25
Piledrivers	1.25	Sioux City, Iowa:		Marble setters' helpers	.85
Pumps	1.00	Iron workers:		Mason tenders	.85
Rollers, 8 tons and under	1.00	Structural	1.50	Mortar mixers	.85
Rollers over 8 tons	1.25	Ornamental	1.50	Painters:	
Scrapers	1.50	Reinforcing	1.44	Brush	1.20
Shovels	1.50	Other classifications—see Sioux City,		Spray	1.45
Tractors:		Iowa, than to Cheyenne,		Structural steel	1.45
Over 50 h. p.	1.25	Wyo.:		Pipe layers (concrete and clay)	.85
50 h. p. and under	1.00	Iron workers:		Plasterers	1.50
With carryall scraper	1.25	Structural	1.50	Plasterers' tenders	.85
Trenching machines	1.375	Ornamental	1.50	Plumbers	1.50
Roofers	1.25	Reinforcing	1.375	Power equipment operators:	
Roofers apprentices	.95	Other classifications—see western		Air compressors	1.25
Sheet metal workers	1.25	Nebraska rates.		Blade graders	1.25
Soft floor layers (linoleum)	1.25	Thurston County:		Bulldozers	1.25
Steam fitters	1.50	Asbestos workers	1.65	Cranes, derricks, draglines	1.50
Stone masons	1.75	Iron workers:		Distributors (bituminous surfaces	1.25
Terrazzo workers	1.50	Structural	1.50	Finishing mach. (cem. conc.	
Tile setters	1.50	Ornamental	1.50	pave.)	1.25
Truck drivers:		Reinforcing		Hoists	1.25
5 tons and under	.85	Other classifications—see eastern		Mixers	1.25
Over 5 tons	1.00	Nebraska rates.		Motor graders	1.25
Seward County:		Valley County:		Piledrivers	1.375
Asbestos workers	1.65	Asbestos workers	1.65	Pumps	1.25
Iron workers:		Iron workers:		Rollers	1.25
Structural	1.75	Structural	1.50	Scrapers	1.25
Ornamental	1.75	Ornamental	1.50	Shovels	1.50
Reinforcing	1.75	Reinforcing	1.375	Tractors	1.125
Painters, spray	1.50	Other classifications—see eastern		Tractors, with carryall scraper	.85
Plumbers	1.625	Nebraska rates.		Trenching machines	1.375
Steamfitters	1.625	Washington County:		Roofers	1.25
Other classifications—see eastern		Asbestos workers	1.65	Roofers' helpers	.95
Nebraska rates.		Iron workers:		Sheet metal workers	1.50
Sheridan County:		Structural	1.75	Soft floor layers (linoleum)	1.20
Asbestos workers	1.75	Ornamental	1.75	Steam fitters	1.50
Iron workers:		Reinforcing	1.75	Terrazzo workers	1.25
Structural	1.50	Plasterers	1.75	Terrazzo workers' helpers	.85
Ornamental	1.50	Other classifications—see eastern		Tile setters	1.25
Reinforcing	1.44	Nebraska rates.		Tile setters' helpers	.85
Other classifications—see western		Wayne County:		Truck drivers, over 1½ tons to 5	.80
Nebraska rates.		Asbestos workers	1.65	tons	
Sherman County:		Iron workers:		Truck drivers:	
Asbestos workers	1.65	Structural	1.50	Over 5 tons	.90
Iron workers:		Ornamental	1.50	Under 1½ tons	.75
Locations nearer to Omaha,		Reinforcing	1.375	Western Nebraska Wage Rates	
Nebr., than to Sioux City,		Webster County:		Air tool op. (Jackhammermen, vi-	
Iowa:		Asbestos workers	1.65	brator)	.75
Iron workers:		Iron workers:		Boilermakers	1.75
Structural	1.75	Structural	1.75	Boilermakers' helpers	1.50
Ornamental	1.75	Ornamental	1.75	Bricklayers	1.75
Reinforcing	1.75	Reinforcing	1.75	Carpenters, journeymen	1.375
Locations nearer to Sioux City,		Other classifications—see western		Cement finishers	1.375
Iowa, than to Omaha, Nebr.:		Nebraska rates.		Electricians	1.50
Iron workers:		Wheeler County:		Firemen	1.00
Structural	1.50	Asbestos workers	1.65	Oilers	.75
Ornamental	1.50	Iron workers:		Glaziers	1.25
Reinforcing	1.375	Structural	1.50	Laborers:	
Other classifications—see eastern		Ornamental	1.50	Building	.70
Nebraska rates.		Reinforcing	1.375	Unskilled	.70
Sioux County:		Other classifications—see eastern		Lathers	1.50
Asbestos workers	1.75	Nebraska rates.		Marble setters	1.50
Iron workers:		Wheeler County:		Marble setters' helpers	.75
Structural	1.50	Asbestos workers	1.65	Mason tenders	.70
Ornamental	1.50	Iron workers:		Mortar mixers	.75
Reinforcing	1.44	Structural	1.50		
Other classifications—see western		Ornamental	1.50		
Nebraska rates.		Reinforcing	1.375		

## Western Nebraska Wage Rates—Continued

	Building construction
Painters:	
Brush	\$1.25
Spray	1.375
Structural steel	1.375
Pipe layers (concrete and clay)	1.00
Plasterers	1.50
Plasterers' tenders	.75
Plumbers	1.50
Power equipment operators:	
Air compressors	1.00
Blade graders	1.25
Bulldozers	1.25
Cranes, derricks, draglines	1.50
Distributors (bituminous surfaces)	1.25
Finishing mach. (cem. conc. pave.)	1.25
Hoists	1.25
Mixers (10-S. or smaller)	1.00
Mixers, (larger than 10-S)	1.25
Motor graders	1.25
Piledrivers	1.25
Pumps	1.00
Rollers:	
8 tons and under	1.00
Over 8 tons	1.25
Scrapers	1.50
Shovels	1.50
Tractors:	
Over 50 h. p.	1.25
50 h. p. and under	1.00
With carryall scraper	1.25
Trenching machines	1.375
Roofers	1.25
Roofers' helpers	.95
Sheet metal workers	1.25
Soft floor layers (linoleum)	1.25
Steam fitters	1.50
Stone masons	1.50
Terrazzo workers	1.50
Terrazzo workers' helpers	.75
Tile setters	1.50
Tile setters' helpers	1.00
Truck drivers:	
1½ tons or under	.75
Over 1½ tone to 5 tons	.85
Over 5 tons	1.00

## Statewide Rates (Except Douglas and Sarpy County)

	Heavy and highway construction
Air tool operators	\$0.75
Asphalt rakers	.75
Asphalt shovels	.70
Blacksmiths	1.00
Blacksmiths' helpers	.70
Blasters	1.00
Blasters' helpers	.70
Carpenters, journeymen	1.25
Cement finishers:	
Slab and bridge floor	1.25
Joints	1.25
Curbs	1.25
Cement handiers, hand	.90
Cement puddlers	.75
Bull float operators, hand	.85
Bull float machine operators	.85
Firemen	1.00
Form setters, concrete	1.00
Structural iron workers	1.25
Reinforcing iron workers	.85
Laborers	.70
Maintenance mechanics	1.25
Maintenance mechanics' assistants	.90
Maintenance mechanics helpers	.70
Oilers	.75
Pipe layers	.85
Teamsters	.70
Power equipment operators:	
Asphalt plant	1.25
Asphalt plant traveling	1.25
Bituminous distributors:	
Drivers	.85
Operators	.85
Bituminous finishing operators	1.25
Clamshell and draglines, up to 1½ cubic yards	1.25

## Statewide Rates (Except Douglas and Sarpy County)—Continued

	Heavy and highway construction
Power equipment operators—Continued:	
Clamshell and draglines over 1½ cubic yards	\$1.50
Shovel operators, up to 1½ cubic yards	1.25
Shovel operators, over 1½ cubic yards	1.50
Crush plant operators	1.25
Concrete finishing operators	1.25
Hoists and derricks	.85
Loaders	1.00
Concrete:	
Mixers	.80
Pavers	1.25
Motor graders:	
Patrol	1.00
Finishers	1.25
Piledrivers' helpers	.75
Cement handiers, power	.95
Road rollers, 5 ton or under	.85
Road rollers over 5 ton	1.00
Stabilizing plants	1.25
Tractors:	
Farm	.70
55 h. p. or less with attachments	.85
Over 55 h. p. without attachments	1.00
Over 55 h. p. with attachments	1.25
Tournapulls	1.375
Trenching machines	1.25
Trenching machines form	.85
Subgraders	1.00
Elevating graders	1.00
Truck drivers:	
1½ ton or less	.70
Over 1½ to 5 tons	.75
Over 5 tons	1.10
Douglas and Sarpy Counties:	
Air tool operators	.90
Asphalt rakers	.90
Asphalt shovels	.85
Blacksmiths	1.00
Blacksmiths' helpers	.85
Blasters	1.00
Carpenters, journeymen	1.375
Cement finishers	1.45
Firemen	1.00
Iron workers, structural	1.50
Laborers	.85
Maintenance mechanics:	
Heavy equipment	1.50
Helpers	.90
Painters, brush	1.20
Power equipment operators:	
Asphalt plant	1.25
Asphalt plant traveling	1.25
Distributors (bituminous surfaces)	1.25
Cranes, derricks, draglines	1.50
Elevating graders	1.25
Hoists	1.25
Crusher plant	1.25
Mixers, concrete	1.25
Crusher plant (400 tons and under)	.85
Concrete finishing	1.25
Motor graders (patrol)	1.25
Rollers, road, 5 tons or under	1.25
Rollers, road, over 5 tons	1.25
Shovels	1.50
Tractors:	
55 h. p. or less with or without attachments	1.125
Over 55 h. p. without attachment	1.125
Tractors, over 55 h. p., with attachment	1.35
Trenching machines	1.375
Truck drivers, 1½ tons or less	.85
Truck drivers, 1½ tons to 5 tons	.95
Truck drivers, over 5 tons	1.05

## § 807.36 Area wage rates for Oregon.

	Building, heavy, and highway construction
Baker County.	
Benton County.	
Clackamas County:	
Air tool operator (jackhammer-men, vibrator)	\$1.25
Asbestos workers	1.875
Boilermakers	1.75
Boilermakers' helpers	1.50
Bricklayers	1.875
Carpenters, journeymen	1.55
Cement finishers	1.575
Electricians	1.58
Glaziers	1.575
Iron workers:	
Structural	1.75
Ornamental	1.75
Reinforcing	1.55
Laborers:	
Building	1.15
Unskilled	1.15
Lathers	1.80
Marble setters	1.75
Mason tenders	1.40
Painters:	
Brush (north ½ of county)	1.55
Brush (south ½ of county)	1.32
Spray (north ½ of county)	1.70
Spray (south ½ of county)	1.50
Piledrivermen	1.65
Piledriver boommen	1.75
Plasterers	1.875
Plasterers' tenders	1.40
Plumbers:	
(Southeast portion of county)	1.75
(Remainder of county)	1.875
Power equipment operators. See Multnomah County.	
Roofers	1.60
Sheet metal workers	1.625
Soft floor layers (linoleum)	1.55
Steam fitters:	
(Southeast portion of county)	1.75
(Remainder of county)	1.875
Stone masons	1.875
Terrazzo workers	1.35
Terrazzo workers' helpers	.95
Tile setters	1.50
Tile setters' helpers	1.00
Truck drivers. See Multnomah County.	
Clatsop County:	
Air tool operator (jackhammer-men, vibrator)	1.25
Asbestos workers	1.875
Boilermakers	1.75
Boilermakers' helpers	1.50
Bricklayers	1.625
Carpenters, journeymen	1.55
Cement finishers	1.625
Electricians	1.50
Glaziers	1.575
Iron workers:	
Structural	1.75
Ornamental	1.75
Reinforcing	1.55
Laborers:	
Building	1.15
Unskilled	1.15
Lathers	1.625
Marble setters	1.75
Mason tenders	1.40
Painters:	
Brush (seaside and vicinity)	1.375
(Remainder of county)	1.50
Piledrivermen	1.65
Piledrivermen boommen	1.75
Pipe layers (sewer)	1.40
Plasterers	1.875
Plasterers' tenders	1.40
Plumbers	1.875
Plumbers' app., helpers	1.15
Power equipment operators. See Multnomah County.	
Roofers	1.55
Sheet metal workers	1.625
Soft floor layers (linoleum)	1.32
Steam fitters	1.875
Stone masons	1.625
Terrazzo workers	1.35

## FEDERAL REGISTER, Thursday, October 17, 1946

<i>Building, heavy, and highway</i>	
Clatsop County—Continued. construction	
Tile setters	\$1.50
Truck drivers. See Multnomah County.	
Columbia County.	
Coos County:	
Air tool op. (jackhammers, vibrator)	1.25
Asbestos workers	1.875
Boilermakers	1.75
Boilermakers' helpers	1.50
Bricklayers	1.625
Carpenters, journeymen	1.55
Cement finishers	1.35
Electricians	1.70
Glaziers	1.575
Iron workers:	
Structural	1.75
Ornamental	1.75
Reinforcing	1.55
Laborers, building	1.15
Lathers	1.625
Marble setters	1.75
Mason tenders	1.40
Painters:	
Brush	1.375
Spray	1.625
Piledrivermen	1.65
Piledrivermen boommen	1.75
Plasterers	1.60
Plasterers' tenders	1.40
Plumbers	1.625
Power equipment operators. See Multnomah County.	
Roofers	1.40
Sheet metal workers	1.625
Soft floor layers (linoleum)	1.32
Steam fitters	1.625
Stone masons	1.625
Terrazzo workers	1.35
Tile setters	1.50
Tile setters' helpers	1.00
Truck drivers. See Multnomah County.	
Crook County.	
Curry County.	
Deschutes County:	
Air tool op. (jackhammers, vibrator)	1.25
Asbestos workers	1.875
Boilermakers	1.75
Boilermakers' helpers	1.50
Bricklayers	1.625
Carpenters, journeymen	1.55
Cement finishers	1.50
Electricians	1.58
Glaziers	1.575
Iron workers:	
Structural	1.75
Ornamental	1.75
Reinforcing	1.55
Laborers:	
Building	1.15
Unskilled	1.15
Lathers'	
Unskilled	1.15
Marble setters	1.625
Mason tenders	1.40
Mortar mixers	1.40
Painters:	
Brush	1.32
Spray	1.50
Piledrivermen	1.65
Piledrivermen boommen	1.75
Plasterers	1.875
Plasterers' tenders	1.40
Plumbers	1.625
Power equipment operators. See Multnomah County.	
Roofers, composition	1.60
Roofers' helpers	1.25
Sheet metal workers	1.625
Soft floor layers (linoleum)	1.32
Steam fitters	1.625
Stone masons or cutters	1.625
Terrazzo workers	1.35
Tile setters	1.50
Tile setters' helpers	1.00
Truck drivers (see Multnomah County).	

<i>Building, heavy, and highway construction</i>	
Douglas County:	
Air tool op. (jackhammerman, vibrator)	\$1.25
Asbestos workers	1.875
Boilermakers	1.75
Boilermakers' helpers	1.50
Bricklayers	1.625
Carpenters, journeymen	1.55
Cement finishers	1.35
Electricians	1.70
Glaziers	1.575
Iron workers:	
Structural	1.75
Ornamental	1.75
Reinforcing	1.50
Laborers:	
Building	1.15
Unskilled	1.15
Lathers	1.625
Marble setters	1.75
Marble setters' helpers	1.15
Mason tenders	1.40
Painters:	
Brush	1.375
Spray	1.625
Piledrivermen	1.65
Boommen	1.75
Plasterers	1.60
Plasterers' tenders	1.40
Plumbers	1.625
Plumbers' helpers	1.15
Power equipment operators (see Multnomah County).	
Roofers	1.60
Roofers' helpers	1.25
Sheet metal workers	1.625
Soft floor layers (linoleum)	1.32
Steam fitters	1.625
Stone masons	1.625
Terrazzo workers	1.35
Tile setters	1.50
Truck drivers (see Multnomah County).	
Gilliam County:	
Air tool op. (jackhammers, vibrator)	1.25
Asbestos workers	1.875
Boilermakers	1.75
Boilermakers' helpers	1.50
Bricklayers	1.875
Carpenters, journeymen	1.55
Cement finishers	1.375
Electricians	1.70
Glaziers	1.575
Iron workers:	
Structural	1.75
Ornamental	1.75
Reinforcing	1.55
Laborers:	
Building	1.15
Unskilled	1.15
Lathers	1.60
Marble setters	1.75
Mason tenders	1.40
Mortar mixers	1.40
Painters:	
Brush	1.32
Spray	1.50
Plasterers	1.875
Plasterers' tenders	1.40
Plumbers	1.875
Power equipment operators. See Multnomah County.	
Roofers:	
Composition	1.4375
Slate and tile	1.4375
Sheet metal workers	1.4375
Soft floor layers (linoleum)	1.32
Steam fitters	1.875
Stone masons	1.875
Terrazzo workers	1.35
Terazzo workers' helpers	1.15
Tile setters	1.50
Tile setters' helpers	1.15
Truck drivers. See Multnomah County.	
Grant County.	
Harney County.	
Hood River County.'	
Jackson County:	
Air tool op. (jackhammers, vibrator)	\$1.25
Asbestos workers	1.875
Boilermakers	1.75
Boilermakers' helpers	1.50
Bricklayers	1.875
Carpenters, journeymen	1.55
Cement finishers	1.625
Electricians	1.625
Glaziers	1.575
Iron workers:	
Structural	1.75
Ornamental	1.75
Reinforcing	1.55
Laborers:	
Building	1.15
Unskilled	1.15
Lathers	1.50
Marble setters	1.75
Marble setters' helpers	1.15
Mason tenders	1.40
Painters:	
Brush	1.32
Spray	1.50
Structural steel	1.445
Piledrivermen	1.65
Piledrivermen, boommen	1.75
Plasterers	1.875
Plasterers' tenders	1.40
Plumbers	1.75
Power equipment operators. See Multnomah County.	
Roofers	1.60
Sheet metal workers	1.625
Soft floor layers (linoleum)	1.32
Steam fitters	1.75
Stone masons	1.875
Terrazzo workers	1.35
Terrazzo workers' helpers	1.15

	<i>Building, heavy, and highway construction</i>		<i>Building, heavy, and highway construction</i>		<i>Building, heavy, and highway construction</i>
Josephine County—Con.		Lane County—Continued		Malheur County—Con.	
Tile setters	\$1.50	Tile setters	\$1.875	Tile setters' helpers	\$1.00
Tile setters' helpers	1.15	Truck drivers (See Multnomah County).		Truck drivers. See Multnomah County.	
Truck drivers. See Multnomah County.		Lincoln County.		Marion County:	
Klamath County:		Linn County:		Air tool op. (jackhammermen, vi- brator)	1.25
Air tool op. (jackhammermen, vi- brator)	1.25	Asbestos workers	1.875	Asbestos workers	1.875
Asbestos workers	1.875	Blacksmiths	1.00	Boilermakers	1.75
Boilermakers	1.75	Boilermakers	1.75	Boilermakers' helpers	1.50
Boilermakers' helpers	1.50	Bricklayers	1.875	Bricklayers	1.875
Bricklayers	1.875	Carpenters, journeymen	1.55	Carpenters, journeymen	1.55
Carpenters, journeymen	1.625	Cement finishers	1.35	Cement finishers	1.50
Cement finishers	1.625	Electricians	1.50	Electricians	1.58
Electricians	1.50	Glaziers	1.575	Floor layers, hardwood	1.875
Glaziers	1.575	Iron workers:		Glaziers	1.575
Iron workers:		Structural	1.75	Iron workers:	
Structural	1.75	Ornamental	1.75	Structural	1.75
Ornamental	1.75	Reinforcing	1.55	Ornamental	1.75
Reinforcing	1.55	Laborers:		Reinforcing	1.55
Laborers:		Building	1.15	Laborers, building	1.35
Building	1.15	Concrete	1.15	Lathers	1.75
Unskilled	1.15	Unskilled	1.15	Marble setters	1.58
Lathers (metal)	1.75	Lathers	1.75	Mason tenders	1.40
Lathers (wood)	1.75	Marble setters	1.75	Mortar mixers	1.40
Machinists	1.75	Mason tenders	1.40	Painters:	
Machinists' helpers	1.50	Mortar mixers	1.40	Brush	1.55
Marble setters	1.75	Painters:		Spray	1.70
Mason tenders	1.40	Brush	1.32	Structural steel	1.70
Painters:		Spray	1.50	Piledrivermen	1.65
Brush	1.50	Piledrivermen	1.65	Piledrivermen boommen	1.75
Sign	1.715	Piledrivermen boommen	1.75	Plasterers	1.875
Spray	1.625	Plasters	1.60	Plasterers' tenders	1.40
Piledrivermen	1.65	Plumbers	1.625	Plumbers	1.75
Piledrivermen boommen	1.75	Plumbers' helpers	1.15	Power equipment operators. See Multnomah County.	
Pipe layers (sewer)	1.25	Power equipment operators (see Multnomah County).		Roofers	1.60
Plasters	1.875	Roofers	1.60	Roofers' helpers	1.25
Plasterers' tenders	1.40	Roofers' helpers	1.25	Sheet metal workers	1.625
Plumbers	1.875	Sheet metal workers	1.625	Soft floor layers (linoleum)	1.55
Power equipment operators. See Multnomah County.		Soft floor layers (linoleum)	1.35	Steam fitters	1.75
Roofers	1.60	Steam fitters	1.625	Stone masons	1.875
Sheet metal workers	1.625	Terrazzo workers	1.35	Terrazzo workers	1.35
Soft floor layers (linoleum)	1.32	Tile setters	1.50	Tile setters	1.75
Steamfitters	1.875	Truck drivers. See Multnomah County.		Truck drivers. See Multnomah County.	
Stone masons	1.875	Morrow County.		Multnomah County:	
Terrazzo workers	1.35	Malheur County:		Air tool op. (Jackhammermen, vibrator)	1.25
Tile setters	1.50	Air tool op. (jackhammermen, vi- brator)	1.25	Asbestos workers	1.875
Tile setters' helpers	1.00	Asbestos workers	1.875	Blacksmiths	1.00
Truck drivers. See Multnomah County.		Boilermakers	1.75	Boilermakers	1.50
Lake County:		Boilermakers' helpers	1.50	Bricklayers	1.875
Air tool op. (jackhammermen, vi- brator)	1.25	Carpenters, journeymen	1.55	Carpenters, journeymen	1.55
Asbestos workers	1.875	Cable splicers	1.75	Cement finishers	1.575
Boilermakers	1.75	Cement finishers	1.375	Electricians	1.70
Boilermakers' helpers	1.50	Electricians	1.50	Elevator constructors	1.815
Bricklayers	1.875	Electricians' helpers	1.00	Elevator constructors' helpers	1.27
Carpenters, journeymen	1.55	Glaziers	1.575	Glaziers	1.575
Cement finishers	1.625	Iron workers:		Iron workers:	
Electricians	1.50	Structural	1.75	Structural	1.75
Glaziers	1.575	Ornamental	1.75	Ornamental	1.75
Iron workers:		Reinforcing	1.55	Reinforcing	1.55
Structural	1.75	Laborers:		Laborers:	
Ornamental	1.75	Building	1.15	Building	1.15
Reinforcing	1.55	Unskilled	1.15	Lathers	1.80
Laborers, unskilled	1.15	Lathers	1.625	Machinists	1.75
Lathers	1.75	Marble setters	1.75	Machinists' helpers	1.50
Marble setters	1.75	Mason tenders	1.40	Marble setters	1.75
Mason tenders	1.40	Painters:		Mason tenders	1.40
Painters:		Brush	1.32	Painters:	
Brush	1.50	Spray	1.50	Brush	1.55
Spray and bituminous	1.65	Piledrivermen	1.65	Sign	1.71½
Swing stage over 40'	1.65	Piledrivermen boommen	1.75	Spray	1.75
Sand blasting	1.65	Plasterers	1.625	Sand blasters	1.70
Piledrivermen	1.65	Plasterers' tenders	1.40	Structural steel	1.70
Piledriverman boommen	1.75	Plumbers	1.625	Piledrivermen	1.65
Plasterers	1.875	Power equipment operators (see Multnomah County).		Boommen	1.75
Plasterers' tenders	1.40	Roofers	1.4375	Burners and welders	1.65
Plumbers	1.75	Sheet metal workers	1.4375	Pipe layers (concrete and clay)	1.25
Form strippers on swinging stage	1.25	Soft floor layers (linoleum)	1.32	Plasterers	1.875
Power equipment operators (see Multnomah County).		Steam fitters	1.625	Plasterers' tenders	1.40
Roofers	1.60	Stone masons or cutters	1.625	Plumbers	1.875
Sheet metal workers	1.625	Terrazzo workers	1.35	Composition, mastic and gunite workers	1.70
Soft floor layers (linoleum)	1.65	Tile setters	1.50	Finished floor layers	1.675
Steam fitters	1.75			Level men	1.15
Stone masons	1.875				
Terrazzo workers	1.35				

## FEDERAL REGISTER, Thursday, October 17, 1946

	<i>Building, heavy, and highway construction</i>	<i>Building, heavy, and highway construction</i>	<i>Building, heavy, and highway construction</i>
Multnomah County—Con.		Tillamook County—Con.	Wasco County:
Power equipment operators. See Statewide rates.		Soft floor layers (linoleum) \$1.55	Air tool operator (Jackhammer- men, vibrator) \$1.25
Roofers \$1.60		Steam fitters 1.875	Asbestos workers 1.875
Sheet metal workers 1.625		Stone masons 1.875	Boilermakers 1.75
Soft floor layers (linoleum) 1.55		Terrazzo workers 1.35	Boilermakers' helpers 1.50
Steam fitters 1.875		Tile setters 1.75	Bricklayers 1.625
Stone masons 1.875		Tile setters' helpers 1.00	Carpenters, journeymen 1.55
Terrazzo workers 1.35		Truck drivers. See Multnomah County.	Cement finishers 1.375
Tile setters 1.75		Umatilla County:	Electricians 1.70
Truck drivers. See Statewide rates.		Air tool op. (Jackhammers, vi- brator) 1.25	Glaziers 1.575
Polk County:		Asbestos workers 1.875	Iron workers:
Air tool op. (Jackhammers, vi- brator) 1.25		Blacksmiths 1.40	Structural 1.75
Asbestos workers 1.875		Boilermakers 1.75	Ornamental 1.75
Boilermakers 1.75		Boilermakers' helpers 1.50	Reinforcing 1.55
Boilermakers' helpers 1.50		Bricklayers 2.00	Laborers:
Bricklayers 1.875		Carpenters, journeyman 1.55	Building 1.15
Carpenters, journeymen 1.55		Cement finishers 1.625	Unskilled 1.15
Cement finishers 1.50		Electricians 1.70	Lathers 1.625
Electricians 1.59		Glaziers 1.575	Machinists 1.75
Glaziers 1.575		Iron workers:	Machinists' helpers 1.50
Iron workers:		Structural 1.75	Mason tenders 1.40
Structural 1.75		Ornamental 1.75	Painters:
Ornamental 1.75		Reinforcing 1.55	Brush 1.32
Reinforcing 1.55		Laborers, building 1.15	Spray 1.50
Laborers, building 1.15		Laborers, unskilled 1.15	Piledrivermen 1.65
Lathers 1.75		Lathers 1.80	Piledrivermen boommen 1.75
Marble setters 1.75		Marble setters 1.75	Plumbers 1.625
Mason tenders 1.40		Mason tenders 1.40	Plumbers' helpers 1.15
Mortar mixers 1.40		Painters, brush 1.375	Power equipment operators. See Multnomah County.
Painters:		Piledrivermen 1.65	Roofers 1.4375
Brush 1.55		Piledrivermen boommen 1.75	Sheet metal workers 1.625
Spray 1.70		Plasterers 1.875	Soft floor layers (linoleum) 1.32
Piledrivermen 1.65		Plasterers' tenders 1.40	Steam fitters 1.625
Piledrivermen boommen 1.75		Plumbers 1.625	Stone masons 1.625
Plasterers 1.875		Power equipment operators. See Multnomah County.	Truck drivers. See Multnomah County.
Plasterers' tenders 1.40		Roofers 1.60	Washington County:
Plumbers 1.75		Sheet metal workers 1.4375	Air tool op. (Jackhammers, vi- brator) 1.25
Power equipment operators. See Multnomah County.		Soft floor layers (linoleum) 1.325	Asbestos workers 1.875
Roofers 1.60		Steam fitters 1.625	Boilermakers 1.75
Roofers' helpers 1.25		Terrazzo workers 2.00	Boilermakers' helpers 1.50
Sheet metal workers 1.625		Tile setters 1.725	Bricklayers 1.875
Soft floor layers (linoleum) 1.55		Truck drivers. See Multnomah County.	Carpenters, journeymen 1.55
Steam fitters 1.75		Umatilla County:	Cement finishers 1.575
Stone masons 1.875		Air tool operator (Jackhammers, vi- brator) 1.25	Electricians 1.70
Terrazzo workers 1.35		Asbestos workers 1.875	Elevator constructors 1.815
Tile setters 1.75		Boilermakers 1.75	Elevator constructors' helpers 1.27
Truck drivers. See Multnomah County.		Bricklayers 1.50	Glaziers 1.575
Sherman County.		Carpenters, journeymen 1.625	Iron workers:
Tillamook County:		Cement finishers 1.55	Structural 1.75
Air tool operator (Jackhammers, men, vibrator) 1.25		Electricians 1.375	Ornamental 1.75
Asbestos workers 1.875		Glaziers 1.575	Reinforcing 1.55
Boilermakers 1.75		Iron workers, structural 1.75	Laborers:
Boilermakers' helpers 1.50		Iron workers, ornamental 1.75	Building 1.15
Bricklayers 1.875		Iron workers, reinforcing 1.55	Unskilled 1.15
Carpenters, journeymen 1.55		Laborers, building 1.15	Lathers 1.80
Cement finishers 1.575		Lathers 1.75	Marble setters 1.58
Electricians 1.70		Mason tenders 1.40	Mason tenders 1.40
Ground men 1.35		Mortar mixers 1.625	Painters:
Glaziers 1.575		Painters, brush 1.375	Brush 1.55
Iron workers:		Painters, spray 1.50	Spray 1.70
Structural 1.75		Painters, structural steel 1.50	Piledrivermen 1.65
Ornamental 1.75		Piledriverman 1.65	Piledrivermen boommen 1.75
Reinforcing 1.55		Piledriverman boommen 1.75	Plasterers 1.875
Laborers, building 1.15		Plasterers' tenders 1.40	Plasterers' tenders 1.40
Laborers, unskilled 1.15		Plumbers 1.625	Plumbers 1.875
Lathers 1.80		Plumbers' helpers 1.15	Power equipment operators. See Multnomah County.
Linemen 1.90		Power equipment operators. See Multnomah County.	Roofers 1.60
Marble setters 1.58		Roofers 1.4375	Sheet metal workers 1.625
Mason tenders 1.40		Sheet metal workers 1.4375	Soft floor layers (linoleum) 1.55
Painters:		Soft floor layers (linoleum) 1.375	Steam fitters 1.875
Brush 1.55		Steam fitters 1.625	Stone masons 1.875
Spray 1.70		Stone masons or cutters 1.15	Terrazzo workers 1.35
Sign 1.71 <sup>3</sup>		Terrazzo workers 1.35	Tile setters 1.75
Piledrivermen 1.65		Tile setters 1.50	Truck drivers. See Multnomah County.
Piledrivermen boommen 1.75		Tile setters' helpers 1.00	Wheeler County.
Pipe layers (sewer) 1.40		Truck drivers. See Multnomah County.	Yamhill County:
Plasterers 1.875		Wallowa County.	Air tool operator (Jackhammers, men, vibrator) 1.25
Plasters' tenders 1.40			Asbestos workers 1.875
Plumbers 1.875			Boilermakers 1.75
Plumbers' helpers 1.15			Boilermakers' helpers 1.50
Power equipment operators. See Multnomah County.	1.60		Bricklayers 1.875
Roofers	1.625		Carpenters, journeymen 1.55
Sheet metal workers			

<i>Building, heavy, and highway construction</i>		<i>Building, heavy, and highway construction</i>	<i>Building, heavy, and highway construction</i>
Yamhill County—Continued.		Corvallis, Benton County—Con. construction	Corvallis, Benton County—Con. and highway
Cement finishers	\$1.35	Power equipment operators—Con.	Truck drivers—Continued.
Electricians	1.58	Dredge firemen (floating derrick)	Winch truck—take classification of truck on which winch is mounted.
Glaziers	1.575	Elevating grader operator	1.65
Iron workers, structural	1.75	Finish machine operator	1.50
Iron workers, ornamental	1.75	Gantry crane operator	1.90
Iron workers, reinforcing	1.55	Hammerhead crane operator	1.90
Laborers, building	1.15	Hoist or derrick operator (hoisting structural steel)	1.80
Lathers	1.75	Hoist, single drum	1.60
Marble setters	1.75	Hoist, 2 or more drums	1.85
Mason tenders	1.40	Locomotive crane operator	1.90
Painters, brush	1.55	Locomotive crane operator, 40 tons and larger	1.65
Painters, spray	1.70	Locomotive crane operator, under 40 tons	1.50
Painters, structural steel	1.70	Mechanic	1.65
Piledrivermen	1.65	Oiler on all equipment	1.25
Piledrivermen boommen	1.75	Pile driver engineers	1.80
Plasterers	1.60	Pugmixer or box operator	1.40
Plasterers' tenders	1.40	Pumpcrete operator	1.65
Plumbers, northeastern part of county	1.875	Pumpman, 6" suction and over	1.50
Plumbers, remainder of county	1.75	Power loader operator	1.50
Power equipment operators. See Multnomah County.		Power shovel, dragline, crane:	
Roofers	1.60	5 yards and over	2.15
Sheet metal workers	1.625	1 cubic yard and under 5 cubic yards	1.95
Soft floor layers (linoleum)	1.55	Under 1 cubic yard	1.80
Steam fitters, northeastern part of county	1.875	Road roller (finishing high type pavement)	1.65
Steam fitters, remainder of county	1.75	Road roller (grade and surfacing)	1.40
Stone masons	1.875	Scoopmobile and similar machine	1.50
Terrazzo workers	1.35	Shovel fireman	1.40
Tile setters	1.50	Stationary dragscraper operator:	
Truck drivers. See Multnomah County.		Over 1 yard	1.50
Corvallis, Benton County:		1 yard and under	1.40
Air tool operators (jackhammer-men, vibrator)	1.25	Surface heater and planer	1.65
Asbestos workers	1.875	Tractor tandem carry-all	2.00
Boilermakers	1.75	Tractor operator:	
Boilermakers' helpers	1.50	Over 50 horsepower	1.75
Bricklayers	1.875	50 horsepower and under	1.55
Carpenters, journeymen	1.55	Trenching machines	1.65
Cement finishers	1.375	Truck shovel and crane operator	1.80
Electricians	1.58	Tournapulls (over 12 yards)	1.80
Glaziers	1.575	Whirley operator	1.90
Iron workers:		Asphalt plant engineer	1.50
Structural	1.75	Truck drivers:	
Ornamental	1.75	Concrete buggies	1.15
Reinforcing	1.55	Dumptors	1.35
Laborers, building	1.15	Dump truck drivers:	
Lathers	1.75	4 yards and under	1.15
Marble setters	1.75	Over 4 yards and up to 6 yards	1.20
Mason tenders	1.40	6 yards and up to 8 yards	1.25
Painters:		8 yards	1.30
Brush	1.32	Over 8 yards and including 10 yards	1.35
Spray	1.50	Over 8 yards and including 12 yards	1.45
Piledrivermen	1.65	Over 12 yards and including 20 yards	1.55
Piledrivermen boommen	1.75	Over 20 yards	1.65
Plasterers	1.60	Euclid drivers:	
Plasterers' tenders	1.40	9 yards and under	1.45
Plumbers	1.75	Over 9 yards	1.55
Power equipment operators. See Multnomah County.		Greasers and tiremen	
Roofers	1.60	Lift jitney or handyandy:	
Sheet metal workers	1.625	Over 3,000 pounds lift	1.25
Soft floor layers (linoleum)	1.55	Under 3,000 pounds lift	1.15
Steam fitters	1.75	Oil distributor driver and lever men	
Stone masons	1.875	1 ton, to and including 4 tons	1.25
Terrazzo workers	1.35	Over 4 tons, including semi-trailer not to exceed 10 tons	1.25
Tile setters	1.50	Semitrailer, over 10 tons	1.25
Truck drivers. See Multnomah County.		Transit mix, or wet mix trucks:	
Power equipment operators:		1 1/2 yards and up to 3 yards	1.15
Adnun, Yeager, or similar type spreaders	1.65	3 yards and over	1.25
Air compressor, stationary plant	1.50	Truck helper, steady	1.15
Blade operator (power)	1.75	Warehousemen (warehouse parts and tool men)	1.15
Burnerman on drier	1.40		
Cable operator (25 tons or over)	2.00		
Clamshell dredge operator	1.90		
Concrete mixer operator, 1- to 5-bag capacity	1.50		
Concrete mixer operator, 5-bag capacity and over	1.65		
Concrete road paver operator	1.75		
Crusher plant operator or mechanic	1.65		

## FEDERAL REGISTER, Thursday, October 17, 1946

Corvallis, Benton County—Con.	Heavy
Laborers—Continued.	construction
General truck laborers (construction, maintenance and repair)—Continued.	
Heelers	\$1.15
Bolters	1.15
General track laborers on ballasting and surfacing	1.15
General labor	1.15
Tunnel miners:	
Miners	1.50
Chuck tenders	1.25
Muckers	1.25
Nippers	1.25
§ 807.49 Area wage rates for Wyoming.	
	Building, heavy,
	and highway
	construction
Albany County:	
Air tool operator (jackhammer-man, vibrator)	\$0.80
Asbestos workers	1.625
Asbestos workers' app. Imp., helpers (1-4 yrs.)	1.15 1.20 1.25
Blacksmiths	1.00
Blacksmiths' helpers	.85
Boilermakers	1.65
Boilermakers' helpers	1.40
Bricklayers	1.75
Carpenters, journeymen	1.50
Cement finishers	1.50
Electricians	1.50
Firemen and oilers	1.00
Glaziers	1.25
Iron workers:	
Structural	1.50
Ornamental	1.50
Reinforcing	1.50
Laborers, unskilled	.85
Lathers	1.50
Marble setters	1.50
Marble setters' helpers	1.00
Mason tenders	1.10
Mortar mixers	1.10
Painters:	
Brush	1.40
Spray	1.50
Structural steel	1.40
Piledrivermen	1.40
Plasterers	1.50
Plasterers' tenders	1.10
Plumbers	1.50
Plumbers' app. helpers	1.85
Power equipment operators:	
Air compressors	1.25
Blade graders	1.25
Bulldozers	1.50
Cranes, derricks, draglines:	
1 cubic yard or less	1.625
Over 1 cubic yard	1.725
Hoists, 2 or more drums	1.50
Mixers (16-S, or smaller)	1.25
Mixers (larger than 16-S)	1.625
Motor graders	1.55
Pumps	1.25
Rollers	1.50
Shovels (1 cubic yard or less)	1.625
Shovels (over 1 cubic yard)	1.725
Tractors:	
Track type	1.50
Rubber tired farm type	1.00
Trenching machines	1.50
Roofers:	
Composition	1.25
Slate and tile	1.25
Helpers	.85
Sheet metal workers	1.44
Soft floor layers (linoleum)	1.40
Steam fitters	1.50
Steam fitters' helpers	.85
Stone masons	1.75
Terrazzo workers	1.50
Terrazzo workers' helpers	1.00
Tile setters	1.50
Tile setters' helpers	1.00
Truck drivers:	
3 tons and under	.85
Over 3 tons	1.00
Dump trucks, 4 yards	.85
Dump trucks, 6 yards and over	.975
Welders	P. R.
Campbell County.	
Carbon County.	
Converse County.	
Same as Natrona County.	
Crook County.	
Fremont County.	
Goshen County.	
Same as Laramie County.	
Hot Springs County.	
Johnson County.	

Big Horn County:	Building, heavy, and highway construction	Building, heavy, and highway construction
Air tool operator (jackhammer-men, vibrator)	\$1.00	Air tool operator (jackhammer-men, vibrator) \$0.80
Asbestos workers	1.625	Asbestos workers 1.625
Asbestos workers, imp., (1-4 yrs.)	1.05 1.15 1.20 1.25	Asbestos workers, imp. (1-4 years) 1.15 1.20 1.25
Blacksmiths	1.00	Blacksmiths 1.60
Blacksmiths' helpers	.85	Blacksmiths' helpers .75
Boilermakers	1.65	Boilermakers 1.75
Boilermakers' helpers	1.40	Boilermakers' helpers 1.50
Bricklayers	1.75	Bricklayers 1.875
Carpenters, journeymen	1.50	Carpenters, journeymen 1.50
Cement finishers	1.50	Cement finishers 1.625
Electricians	1.50	Electricians 1.625
Firemen and oilers	1.00	Firemen and oilers 1.00
Glaziers	1.25	Glaziers 1.29
Iron workers:		Iron workers:
Structural	1.50	Structural 1.50
Ornamental	1.50	Ornamental 1.50
Reinforcing	1.50	Reinforcing 1.44
Laborers:		Laborers:
Building	.80	Building .80
Concrete	.80	Unskilled .60
Unskilled	.80	Lathers 1.50
Lathers	1.50	Marble setters 1.50
Marble setters	1.50	Marble setters' helpers 1.00
Marble setters' helpers	1.00	Mason tenders 1.10
Mason tenders	1.10	Mortar mixers 1.10
Mortar mixers	1.10	Painters:
Painters, brush	1.29	Brush 1.40
Pipe layers (concrete and clay)	.80	Spray 1.50
Plasterers	1.875	Structural steel 1.40
Plasterers' tender	1.10	Piledrivermen 1.40
Plumbers	1.625	Plasterers 1.50
Power equipment operators:		Plasterers' tenders 1.10
Air compressors	1.25	Plumbers 1.50
Blade graders	1.25	Plumbers apprentices, helpers .80
Bulldozers	1.50	Power equipment operators:
Cranes, derricks, draglines:		Air compressors 1.25
1 cubic yard or less	1.625	Blade graders 1.25
Over 1 cubic yard	1.725	Bulldozers 1.50
Hoists, 2 or more drums	1.50	Cranes, derricks, draglines:
Mixers:		1 cubic yard or less 1.625
16 cubic feet or smaller	1.25	Over 1 cubic yard 1.725
Larger than 16 cubic feet	1.625	Hoists, 2 or more drums 1.50
Motor graders	1.55	Power equipment operators:
Rollers	1.50	Mixers (16-S, or smaller) 1.25
Shovels 1 cubic yards or less	1.625	Mixers (larger than 16-S) 1.625
Shovels over 1 cubic yard	1.725	Motor graders 1.55
Tractors:		Rollers 1.50
Track type	1.60	Shovels:
Rubber tired farm type	1.00	1 c. y. or less 1.625
Trenching machines	1.50	Over 1 c. y. 1.725
Roofers:		Tractors:
Composition	1.50	Track type 1.50
Slate and tile	1.50	Rubber tired farm type 1.00
Helpers	.86	Trenching machines 1.50
Sheet metal workers	1.60	Roofers:
Soft floor layers (linoleum)	1.29	Composition 1.50
Steam fitters	1.625	Slate and tile 1.50
Stone masons	1.875	Helpers .86
Terrazzo workers	1.50	Sheet metal workers 1.60
Terrazzo workers' helpers	1.00	Soft floor layers (linoleum) 1.15
Tile setters	1.50	Steam fitters 1.575
Tile setters' helpers	1.00	Steam fitters' helpers .80
Truck drivers	.86	Stone masons 1.875
Welders	P. R.	Terrazzo workers 1.50
Campbell County.		Terrazzo workers' helpers 1.00
Carbon County.		Tile setters .50
Converse County.		Tile setters' helpers 1.00
Same as Natrona County.		Truck drivers .86
Crook County.		Welders P. R.
Fremont County.		Lincoln County:
Goshen County.		Air tool operators (jackhammer-men, vibrator) 1.00
Asbestos workers		Asbestos workers 1.375
Asbestos workers, imp., (1-4 yrs.)		Asbestos workers, imp., (1-4 yrs.) .85
Blacksmiths		.95
Blacksmiths' helpers		1.05
Boilermakers		Blacksmiths 1.00
Boilermakers' helpers		Blacksmiths' helpers .80
Bricklayers		Boilermakers 1.65
Carpenters, journeymen		Boilermakers' helpers 1.40
Cement finishers		Bricklayers 1.65
Electricians		Carpenters, journeymen 1.50

	<i>Building, heavy, and highway construction</i>	<i>Building, heavy, and highway construction</i>	<i>Building, heavy, and highway construction</i>
Lincoln County—Continued.			
Firemen and oilers	\$1.00	Piledrivermen	\$1.50
Glaziers	1.25	Pipe layers (concrete and clay)	1.25
Iron workers:		Plasterers	1.875
Structural	1.50	Plasterers' tenders	1.25
Ornamental	1.50	Plumbers	1.575
Reinforcing	1.50	Plumbers helpers	1.00
Laborers, building	.80	Power equipment operators:	
Laborers, unskilled	.80	Air compressors	1.25
Lathers	1.50	Air compressors over 315 cubic feet	1.40
Marble setters	1.50	Blade graders	1.50
Marble setters' helpers	1.00	Bulldozers	1.50
Mason tenders	1.10	Cranes, derricks, draglines	1.65
Mortar mixers	1.10	Hoists	1.65
Painters:		Mixers	1.65
Brush	1.40	Motor graders	1.70
Spray	1.40	Pumps	1.25
Structural steel	1.40	Rollers	1.50
Piledrivermen	1.40	Scrapers	1.70
Plasterers	1.50	Shovels:	
Plasterers tenders	1.10	$\frac{3}{4}$ cubic yard and less	1.65
Plumbers	1.50	Over $\frac{3}{4}$ cubic yard	1.85
Plumbers' helpers	.80	Trenching machines	1.50
Power equipment operators:		Roofers:	
Air compressor	1.25	Composition	1.25
Blade graders	1.25	Slate and tile	1.25
Bulldozers	1.50	Helpers	.85
Cranes, derricks, draglines:		Sheet metal workers	1.44
1 cubic yard or less	1.625	Soft floor layers (linoleum)	1.40
Over 1 cubic yard	1.725	Steam fitters	1.50
Hoists, 2 or more drums	1.50	Stone masons	1.75
Mixers:		Terrazzo workers	1.50
16-3, or smaller	1.25	Terrazzo workers helpers	1.00
Larger than 16-3	1.625	Tile setters	1.50
Motor graders	1.55	Tile setters helpers	1.00
Pumps	1.25	Truck drivers:	
Rollers	1.50	Up to 5 tons	.85
Shovels:		5 to 7 tons	1.00
1 cubic yard or less	1.625	7 tons and over	1.10
Over 1 cubic yard	1.725	Niobrara County.	
Tractors:		Park County:	
Track type	1.50	Air tool operators (jackhammer- men, vibrator)	1.00
Rubber tired farm type	1.00	Asbestos workers	1.625
Trenching machines	1.25	Blacksmiths	1.125
Roofers:		Blacksmiths' helpers	.85
Composition	1.25	Boilermakers	1.75
Slate and tile	1.25	Boilermakers' helpers	1.50
Roofers helpers	.80	Bricklayers	1.75
Sheet metal workers	1.44	Carpenters, journeymen	1.50
Soft floor layers (linoleum)	1.40	Cement finishers	1.50
Steam fitters	1.50	Electricians	1.50
Steam fitters apprentice helpers	.80	Firemen and oilers	1.00
Stone masons or cutters	1.65	Glaziers	1.25
Terrazzo workers	1.50	Iron workers:	
Terrazzo workers helpers	1.00	Structural	1.50
Tile setters	1.50	Ornamental	1.50
Tile setters helpers	1.00	Reinforcing	1.50
Truck drivers	.85	Laborers, building	.85
Welders	P.R.	Laborers, unskilled	.85
Natrona County:		Lathers	1.50
Air tool operator (jackhammer- men, vibrator)	1.25	Marble setters	1.50
Asbestos workers	1.75	Marble setters helpers	1.00
Asbestos workers' imp. (1-4 years)	1.275	Mason tenders	1.10
1.325		Mortar mixers	1.10
1.375		Painters, brush and sign	1.40
Blacksmiths	1.00	Painters, spray	1.50
Boilermakers	1.75	Piledrivermen	1.50
Boilermakers helpers	1.50	Pipe layers (concrete and clay)	1.00
Bricklayers	1.875	Plasterers	1.50
Carpenters, journeymen	1.50	Plasterers' tenders	1.10
Cement finishers	1.875	Plumbers	1.50
Electricians	1.65	Plumbers' apprentices, helpers	.85
Firemen	1.00	Power equipment operators:	
Oilers	1.20	Air compressors	1.25
Glaziers	1.125	Blade graders	1.25
Iron workers:		Bulldozers	1.50
Structural	1.75	Cranes, derricks, draglines:	
Ornamental	1.75	1 cubic yard or less	1.625
Reinforcing	1.75	Over 1 cubic yard	1.725
Laborers, unskilled	1.00	Hoists	1.50
Lathers	1.50	Mixers:	
Marble setters	1.65	16 cubic foot or smaller	1.25
Marble setters helpers	1.25	Larger than 16 cubic foot	1.625
Mason tenders	1.25	Motor graders	1.55
Mortar mixers	1.25	Pumps	1.25
Painters:		Rollers	1.50
Brush	1.375	Shovels:	
Spray	1.375	1 cubic yard or less	1.625
Structural steel	1.375	Over 1 cubic yard	1.725
		Tractors:	
		Truck type	1.50
		Rubber tired farm type	1.00
		Trenching machines	1.50
		Roofers:	
		Composition	1.25
		Slate and tile	1.25
		Sheet metal workers	1.50
		Steam fitters	1.50
		Steam fitters' helpers	.90
		Stone masons	1.75
		Terrazzo workers	1.50
		Terrazzo workers helpers	1.00
		Tile setters	1.75
		Truck drivers:	
		3 tons and under	.85
		Over 3 tons	1.00
		Dump 4 yards	.85
		Dump 6 cubic yards	.975
		Welders	P.R.

	Building, heavy, and highway construction
Suhlette County.	
Sweetwater County. Same as Lincoln County.	
Teton County.	
Uinta County:	
Air tool operators (jackhammer-men, vibrator)	\$1.00
Asbestos workers	1.375
Asbestos workers imp., (1-4 yrs.)	.75 .85 .95 1.05
Blacksmiths	1.00
Blacksmiths' helpers	.80
Boilermakers	1.65
Boilermakers' helpers	1.40
Bricklayers	1.65
Carpenters, journeymen	1.50
Cement finishers	1.50
Electricians	1.50
Firemen and oilers	1.00
Glaziers	1.25
Iron workers:	
Structural	1.50
Ornamental	1.50
Reinforcing	1.50
Laborers:	
Building	.80
Unskilled	.80
Lathers	1.50
Marble setters	1.50
Marble setters' helpers	1.00
Mason tenders	1.10
Mortar mixers	1.10
Painters:	
Brush	1.40
Spray	1.40
Structural steel	1.40
Piledrivermen	1.40
Plasterers	1.50
Plasterers' tenders	1.10
Plumbers	1.50
Plumbers' helpers	.80
Power equipment operators:	
Air compressors	1.25
Blade graders	1.25
Bulldozers	1.50
Cranes, derricks, draglines:	
1 cubic yard or less	1.625
Over 1 cubic yard	1.725
Hoists, 2 or more drums	1.50
Mixers (16's, or smaller)	1.50
Mixers (larger than 16's)	1.625
Motor graders	1.55
Pumps	1.25
Rollers	1.50
Shovels:	
1 cubic yard or less	1.625
Over 1 cubic yard	1.725
Tractors:	
Track type	1.50
Rubber tired farm type	1.00
Trenching machines	1.25
Roofers:	
Composition	1.25
Slate and tile	1.25
Helpers	.80
Sheet metal workers	1.44
Soft floor layers (linoleum)	1.40
Steam fitters	1.50
Steam fitters' helpers	.80
Stone masons or cutters	1.65
Terrazzo workers	1.50
Terrazzo workers' helpers	1.00
Tile setters	1.50
Tile setters' helpers	1.00
Truck drivers	.85
Welders	P. R.
Washakie County.	
Weston County.	
Yellowstone National Park (part).	Heavy and highway construction
Statewide rates:	
Air tool operators	\$1.00
Asphalt rakers	1.258
Asphalt shovels	1.00
Blasters	1.25
Carpenters	1.40
Cement finishers	1.50
Firemen	1.00
Form setters, metal only	1.30

	Statewide rates—Con.     Heavy and highway construction	Building, heavy, and highway construction	Building, heavy, and highway construction
Iron workers:			
Structural	\$1.50		
Reinforcing	1.50		
Laborers	.85		
Mechanics:			
Auto	1.25		
Heavy equipment	1.50		
Oilers	1.00		
Painters, brush	1.40		
Painters, spray	1.50		
Pipe layers	1.00		
Air compressor operator, over 315 cubic feet	1.40		
Apprentice operators and engineers	1.15		
Bituminous mixer operator (all operators)	1.65		
Boring machine operator	1.40		
Cable-way operator	1.65		
Crane and derrick operator	1.65		
Crusher operator, 50 tons per hour or over	1.70		
Dozer operator	1.70		
Elevating grader	1.65		
Farm type tractor operator, rubber tired	1.15		
Fireman	1.15		
Hoist operator	1.65		
LeTourneau and similar type scrapers (single)	1.85		
LeTourneau and similar type scrapers (tandem)	1.85		
Loader, operator, mechanical	1.15		
Mixer operator, concrete, 4 bags or over	1.65		
Oiler	1.20		
Patrol or motor grader operator	1.70		
Pile driver operator	1.65		
Push tractor operator	1.70		
Repairman or mechanic, on job	1.70		
Repairman, helper	1.15		
Roller operator	1.65		
Shovel operator:			
$\frac{3}{4}$ yard and smaller, including all attachments	1.65		
Over $\frac{3}{4}$ yard including all attachments	1.85		
Tournapull operator	1.85		
Trenching machine operator	1.70		
Form setters	1.30		
Bituminous distributor operators	1.25		
Concrete finishing operators	1.50		
Truck driver:			
Light	1.00		
Heavy	1.25		
Building construction			
Statewide rates (except Natrona County):			
Power equipment operators:			
Asphalt and batch plants	1.50		
Blade graders	1.25		
Back fillers	1.50		
Bulldozers	1.50		
Crushing plants	1.50		
Crane, derricks, draglines, up to and including 1 cubic yard	1.65 $\frac{1}{2}$		
Crane, derricks, draglines, over 1 cubic yard	1.72 $\frac{1}{2}$		
Hoists, 2 or more drums	1.50		
Mixers, 16 cubic feet or smaller	1.25		
Mixers, larger than 16 cubic feet	1.62 $\frac{1}{2}$		
Motor graders	1.55		
Roller operators	1.50		
Shovels, up to and including 1 cubic yard	1.62 $\frac{1}{2}$		
Shovels, over 1 cubic yard	1.72 $\frac{1}{2}$		
Tractors:			
Track type	1.50		
Rubber-tired farm type	1.00		
Trenching machines	1.25		
Roofers:			
Composition	1.25		
Slate and tile	1.25		
Helpers	.80		
Sheet metal workers	1.44		
Soft floor layers (linoleum)	1.40		
Steam fitters	1.50		
Steam fitters' helpers	.80		
Stone masons or cutters	1.65		
Terrazzo workers	1.50		
Terrazzo workers' helpers	1.00		
Tile setters	1.50		
Tile setters' helpers	1.00		
Truck drivers	.85		
Welders	P. R.		
Washakie County.			
Weston County.			
Yellowstone National Park (part).	Heavy and highway construction		
Statewide rates:			
Air tool operators	\$1.00		
Asphalt rakers	1.258		
Asphalt shovels	1.00		
Blasters	1.25		
Carpenters	1.40		
Cement finishers	1.50		
Firemen	1.00		
Form setters, metal only	1.30		
Heavy and highway construction			
Iron workers:			
Structural	\$1.50		
Reinforcing	1.50		
Laborers	.85		
Mechanics:			
Auto	1.25		
Heavy equipment	1.50		
Oilers	1.00		
Painters, brush	1.40		
Painters, spray	1.50		
Pipe layers	1.00		
Air compressor operator, over 315 cubic feet	1.40		
Apprentice operators and engineers	1.15		
Bituminous mixer operator (all operators)	1.65		
Boring machine operator	1.40		
Cable-way operator	1.65		
Crane and derrick operator	1.65		
Crusher operator, 50 tons per hour or over	1.70		
Dozer operator	1.70		
Elevating grader	1.65		
Farm type tractor operator, rubber tired	1.15		
Fireman	1.15		
Hoist operator	1.65		
LeTourneau and similar type scrapers (single)	1.85		
LeTourneau and similar type scrapers (tandem)	1.85		
Loader, operator, mechanical	1.15		
Mixer operator, concrete, 4 bags or over	1.65		
Oiler	1.20		
Patrol or motor grader operator	1.70		
Pile driver operator	1.65		
Push tractor operator	1.70		
Repairman or mechanic, on job	1.70		
Repairman, helper	1.15		
Roller operator	1.65		
Shovel operator:			
$\frac{3}{4}$ yard and smaller, including all attachments	1.65		
Over $\frac{3}{4}$ yard including all attachments	1.85		
Tournapull operator	1.85		
Trenching machine operator	1.70		
Form setters	1.30		
Bituminous distributor operators	1.25		
Concrete finishing operators	1.50		
Truck driver:			
Light	1.00		
Heavy	1.25		
Building construction			
Statewide rates (except Natrona County):			
Power equipment operators:			
Asphalt and batch plants	1.50		
Blade graders	1.25		
Back fillers	1.50		
Bulldozers	1.50		
Crushing plants	1.50		
Crane, derricks, draglines, up to and including 1 cubic yard	1.65 $\frac{1}{2}$		
Crane, derricks, draglines, over 1 cubic yard	1.72 $\frac{1}{2}$		
Hoists, 2 or more drums	1.50		
Mixers, 16 cubic feet or smaller	1.25		
Mixers, larger than 16 cubic feet	1.62 $\frac{1}{2}$		
Motor graders	1.55		
Roller operators	1.50		
Shovels, up to and including 1 cubic yard	1.62 $\frac{1}{2}$		
Shovels, over 1 cubic yard	1.72 $\frac{1}{2}$		
Tractors:			
Track type	1.50		
Rubber-tired farm type	1.00		
Trenching machines	1.50		
Tournapulls	1.50		
\$ 807.50 Area wage rates for Territory of Alaska.			
Building, heavy and highway construction			
Truck drivers:			
Buggy mobile	\$1.70		
Bulk cement semi or truck and trailer	1.85		
Bulk cement truck solo	1.65		
Dredging construction			
Asst. engineer, electric, steam or booster pump	1.625		
Fireman	\$1.45		
Oiler	1.45		
Leverman	1.875		

	<i>Dredging construction</i>
Operating engineers—Con.	
Mates	\$1.525
Asst. mate (deckhand)	1.25
Engineer welder	1.725
Crane men	1.725
§ 807.51 Area wage rates for Territory of Hawaii.	
	<i>Building, heavy, and highway construction</i>
Air tool op. (Jackhammermen, vibrator)	\$1.15
Asbestos workers	1.60
Asphalt raker	1.10
Blacksmiths	1.50
Boilermakers	1.80
Bricklayers	1.90
Cable splicers	1.85
Carpenters, journeymen	1.50
Cement finishers	1.50
Electricians	1.70
Elevator constructor	1.80
Firemen and oilers	1.15
Glaziers	1.40
Iron workers, structural	1.75
Iron workers, reinforcing	1.50
Laborers, construction	1.00
Lathers	1.70
Machinists	1.60
Marble setters	1.80
Marble setters' helpers	1.25
Mason tenders	1.15
Mechanic	1.60
Mortar mixers	1.15
Painters, brush	1.40
Painters, spray	1.50
Painters, sign	1.50
Piledrivermen	1.50
Pipe layers:	
Concrete	1.10
Cast	1.20
Plasterers	1.80
Plasterers' tenders	1.15
Plumbers	1.70
Wagon drill	1.25
Gunite operator	1.50
Miner	1.45
Miner mucking machine operator	1.65
Powder men	1.45
Power equipment operators:	
Asphalt mixer man (batch plant)	1.45
Air compressors	1.25
Asphalt spreader	1.35
Blade graders	1.25
Bulldozers:	
D-4 and under	1.40
Over D-4	1.60
Carrier (lumber)	1.20
Carryall and Le tourneau	1.60
Cranes, derricks	1.75
Crusher	1.50
Finishing mach.	1.50
High lift	1.20
Hoists, 1 and 2 drums	1.50
Hoists, 3 or more drums	1.75
Loader	1.25
Mixers:	
Less than 1 yard	1.25
1 yard and over	1.50
Graders, motor patrol	1.60
Piledrivers	1.75
Pumps	1.25
Rollers	1.35
Shovels:	
Draglines, under ¾ yd.	1.65
Draglines, ¾ yd. and over	1.75
Tractors:	
Under 40 hp.	1.40
40 hp. and over	1.60
Trenching machines:	
Small wheels	1.25
Ladder	1.50
Roofers	1.50
Sheet metal workers	1.70
Asphalt, tile and linoleum layer	1.50
Steam fitters	1.70
Sprinkler fitter	1.70
Stone masons	1.50
Terrazzo workers	1.80
Terrazzo workers' helpers	1.25
Terrazzo base machine operators	1.80

	<i>Building, heavy, and highway construction</i>
Power equipment operators—Con.	
Tile setters	\$1.80
Tile setters' helpers	1.25
Truck drivers:	
5 tons and under	1.05
5 tons to 10 tons	1.25
10 tons and over	1.35
Asphalt distributor	1.35
Well drillers	1.25
Wrecker	1.00
	<i>Waterfront construction</i>
Power equipment operators (Op. Eng.):	
Deckhand:	
Derrick, dredge, tug	\$1.10
Apprentice, derrick, dredge, tug	1.00
Deckmate, derrick, dredge	1.50
Driller, drillrig	1.35
Driller, app., drillrig	1.15
Engr. watch, derrick, dredge, drillrig, pile driver	1.65
Engr. watch, app., derrick, dredge, drillrig, pile driver	1.35
Fireman, derrick, dredge, drillrig, pile driver	1.15
Fireman, app., derrick, dredge, drillrig, pile driver	1.10
Levermen, all dredges	1.90
Levermen, app., all dredges	1.40
Mate, derrick, dredge	1.45
Oiler, derrick, dredge, piledriver	1.15
Oiler, app., derrick, dredge, pile driver	1.10
Operator:	
Derrick, heavy, over 15 tons	1.75
Derrick, light	1.65
Launch	1.10
Tug, heavy, 160 hp. and over	1.50
Light tug	1.30
Piledriver man	1.50
Piledriver man, app.	1.25
Tripper, dredge	1.25

(56 Stat. 765, 50 U. S. C. App. 961; E. O. 9250, 7 F. R. 7871; E. O. 9381, 8 F. R. 13083; E. O. 9672, 11 F. R. 221; E. O. 9697, 11 F. R. 1691; Reg. Dir. of Ec. Stab. dated March 8, 1946, 11 F. R. 2517; G. O. 13 of the NWSB, 8 F. R. 14039; Organization and Jurisdiction of the NWSB, 11 F. R. 5820; Reg's Governing Wage Controls in the Bldg. & Construction Industry, 11 F. R. 8671)

B. M. JOFFE,  
Executive Director.

[F. R. Doc. 46-18659; Filed, Oct. 16, 1946;  
8:48 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter VI—Selective Service System

[State Director Advice No. 342, Issued: 10/14/46]

#### PART 672—STATE DIRECTOR ADVICES

##### CLASSIFICATION PROCEDURE

Pursuant to the provisions of the Administrative Procedures Act, the following directive issued under authority of the Selective Training and Service Act of 1940, as amended, is hereby made a matter of record:

§ 672.342 Classification as affected by Public Law 473, 79th Cong. (a) Questions have been presented to this headquarters concerning the classification procedures to be followed in the case of a registrant classified in Class I-C (Disc.) who has not completed sufficient military service to be exempt from reinduction under the provisions of Public Law 473, but who is not otherwise eligible for reinduction.

(b) It is believed that "Class I-C (Disc.)" is synonymous with the word "veteran" when it applies to registrants who do not meet the test of Public Law 473 but who are not eligible for reinduction. Thus, any registrant classified in Class I-C (Disc.) who is not eligible for reinduction, being either a father or of an age outside the established limits of acceptability, should be retained in Class I-C (Disc.).

(c) Any registrant in Class I-C (Disc.) who is considered for reinduction should be considered for each class in the order established in § 623.21. If it is found that he qualifies for any of these classifications, he should be retained in Class I-C (Disc.).

(d) Any registrant in Class I-C (Disc.), regardless of whether he qualifies for service under the provisions of Public Law 473, who volunteers for induction, should likewise be considered for classification in accordance with the provisions of § 623.21, and if it is found that he qualifies for any classification other than classification in Class I-A or Class I-A-O, he should be retained in Class I-C (Disc.).

(e) Local Board Memorandum No. 77-C (§ 671.77c of this chapter, 11 F. R. 10501) does not specifically state that a registrant who is eligible for reclassification into a class available for service should have his report of physical examination reviewed at State headquarters in accordance with the provisions of Local Board Memorandum No. 77-E (§ 671.77e of this chapter, 11 F. R. 10501). The provisions for review, as set forth in Local Board Memorandum No. 77-C if, in the opinion of the State Director, this procedure is desirable.

LEWIS B. HERSHY,  
Director.

[F. R. Doc. 46-18700; Filed, Oct. 16, 1946;  
8:46 a. m.]

## Chapter IX—Civilian Production Administration

**AUTHORITY:** Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, and Public Laws 270 and 475, 79th Congress; Public Law 388, 79th Congress; E. O. 9024, 7 F. R. 329; E. O. 9040, 7 F. R. 527; E. O. 9125, 7 F. R. 2719; E. O. 9599, 10 F. R. 10155; E. O. 9638, 10 F. R. 12591; C. P. A. Reg 1, Nov. 5, 1945, 10 F. R. 13714; Housing Expediter's Priorities Order 1, Aug. 27, 1946, 11 F. R. 9507.

### PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Regulation 33, Direction 8, as Amended Oct. 16, 1946]

#### PREFABRICATED HOUSING UNDER THE VETERANS' EMERGENCY HOUSING PROGRAM

The following amended direction is issued pursuant to PR 33:

(a) *What this direction does.* This direction explains how prefabricators may get priorities assistance (HH ratings and the right to place certified orders) for certain materials to be used in the production of prefabricated houses, sections, panels or packages under the Veterans' Emergency Housing Program. It also explains restrictions on prefabricators' and dealers' sales of such items.

## FEDERAL REGISTER, Thursday, October 17, 1946

*Definitions*

(b) *Definitions.* For the purpose of this direction:

(1) "Prefabricator" means a person engaged in the business of manufacturing prefabricated houses, sections, or panels.

(2) "Prefabricated house" means a house of which all, or substantially all, the walls and partitions are assembled from prefabricated sections or panels as defined below. The term "prefabricated house" does not include house trailers.

(3) "Prefabricated section" means a house section which is manufactured in a factory, is transported without being taken apart, and is designed to be used in combination with one or more prefabricated sections, prefabricated panels, or conventionally constructed elements to produce housing accommodations.

(4) "Prefabricated panel" means a floor, wall, partition, ceiling, roof, or truss panel which is manufactured in a factory and is designed to be used in combination with one or more prefabricated sections, prefabricated panels, or conventionally constructed elements to produce housing accommodations. Prefabricated panels may, but need not, incorporate such items as window and door frames, sash, doors, builders' hardware, wiring, piping, etc.

(5) "Prefabricated package" means the aggregation of prefabricated sections or panels and building materials and equipment shipped, in a lot, by a prefabricator. (See paragraph (1) below for restrictions on materials for packages.)

(6) The terms "prefabricated panel" and "prefabricated section" do not include: (i) fabricated structural steel such as columns or beams, (ii) millwork as defined in applicable regulations (currently, Direction 1 to Priorities Regulation 33) (iii) items of furniture and equipment not to be permanently attached to and made a part of a house, or (iv) building materials cut to size and shape for assembly at the building site (unless shipped by the prefabricator as part of the prefabricated package he supplies—see paragraph (1) below for restrictions on materials for packages).

(7) "Authorized materials" means the materials now or hereafter listed in Schedule A to Priorities Regulation 33 (limited, in the case of softwood plywood, to construction grades only). These are the materials for which priorities assistance may be given under this direction to prefabricators.

*Prefabricators' Applications for Priorities Assistance*

(c) *Filing of applications.* A prefabricator may make quarterly applications for priorities assistance in getting "authorized materials" for his approved production requirements. Applications are to be made on Form CPA-4415 for the third quarter of 1946 and on Form NHA 14-53 for subsequent quarters. Such applications should be filed with the National Housing Agency, Washington 25, D. C., at least 45 days before the beginning of the quarter for which they are filed. Copies of the application form may be obtained from the National Housing Agency. Additional requirements arising after an application for a particular quarter has been approved may be applied for on a supplementary ("interim") application. Interim applications are to be made on Form CPA-4415 for the third quarter of 1946 and on Form NHA 14-53 for subsequent quarters. Such an application should be clearly marked as an "Interim Application" for the quarter.

(d) *NHA consideration of applications.* Applications will be considered for approval by the National Housing Agency on the basis of the following standards:

(1) *VEHP use.* Priorities assistance will be given only for quantities of "authorized materials" which are likely to be used fully

in prefabricated housing authorized under the Veterans' Emergency Housing Program.

(2) *Technical standards.* Priorities assistance will be given only for the following purposes: (i) The manufacture of prefabricated houses or sections found by the National Housing Agency to be designed to meet standards of space, arrangement, and construction known as "HH Minimum Property Requirements," (ii) the manufacture of prefabricated panels designed to be incorporated in such houses, or (iii) the making up of prefabricated packages containing such sections or panels. The finding by the National Housing Agency will be based upon information submitted by the prefabricator on Form NHA 14-54 or in such other manner as may be required by the National Housing Agency. Copies of the HH Minimum Property Requirements are available at the National Housing Agency, Washington 25, D. C., and at all State and District Offices of the Federal Housing Administration.

(3) *Production standards.* Priorities assistance will be given only after the National Housing Agency has taken into consideration the following factors: the prefabricator's use of scarce materials; the suitability of his product for low and moderate cost housing under the Veterans' Emergency Housing Program; and the prefabricator's apparent ability to produce, based upon plant facilities, general experience, financial status, distribution facilities, and other relevant considerations.

(e) *Granting of authorizations.* Priorities assistance will be in the form of authority to place HH-rated or certified orders for approved quantities of "authorized materials" (see paragraph (b) (7) above). The authorization will cover quantities to be so ordered for a particular quarter. It may also include an advance authorization enabling the prefabricator to place such orders for a percentage of his requirements for the next quarter, pending receipt of his regular authorization for that quarter, subject to the inventory restrictions of paragraph (h) below.

(1) *Authorizations on Form NHA 14-53.* Authorizations on Form NHA 14-53 will be for numerically expressed quantities of some "authorized materials" and for the minimum quantities of the other "authorized materials" needed to meet the prefabricator's approved production requirements.

(2) *Authorizations on Form CPA-4415.* Form CPA-4415 authorizations issued before August 22, 1946 related to the materials on the now obsolete List 1 to this Direction and covered specific quantities of those materials. Those authorizations shall be considered automatically amended on August 22, 1946 to the following extent:

(i) A prefabricator who has received an authorization on Form CPA-4415 may, without further application, use it to get permitted quantities of "authorized materials" for the remainder of his approved third-quarter requirements and for his advance fourth-quarter requirements. "Authorized materials" as defined in paragraph (b) (7) above include a number of materials which were not included on List 1 to this Direction.

(ii) For the following materials, the permitted quantities are the quantities numerically expressed in the authorization: lumber, millwork, hardwood flooring, construction grades of softwood plywood.

(iii) For the other "authorized materials" (lumber, millwork, hardwood flooring, and softwood plywood not included), the permitted quantities are the minimum quantities needed for approved production requirements. This applies even where the Form CPA-4415 authorization specified numerically expressed quantities of any of these materials. "Approved production requirements" means requirements based on the number of units produced with the materials to which numerically expressed limits apply (see paragraph (e) (2) (ii) above).

(iv) Any limitations formerly imposed by this direction on third-quarter authorizations, or on the use of materials obtained under it, are to be considered amended to conform with the limitations of this direction as now amended.

*Prefabricators' Use of Priorities Assistance*

(f) *Extending customers' HH ratings.* A prefabricator must not extend an HH rating which he receives from a customer.

(g) *Placing orders.* A prefabricator who has been granted priorities assistance on Form CPA-4415 or Form NHA 14-53 may place orders for the approved quantities of "authorized materials" as follows:

(1) *Certified orders for some "authorized materials".* For lumber, millwork, hardwood flooring, and softwood plywood (construction grades only), he may place certified orders as explained in applicable regulations (currently, Direction 1 to Priorities Regulation 33 and Order L-358) covering the particular material.

(2) *HH rated orders for other "authorized materials".* For the other "authorized materials" (lumber, millwork, hardwood flooring, and softwood plywood not included), he may use an HH rating on his purchase orders. The HH rating may be applied to a purchase order only by placing on the order the following certificate (the certificates in Priorities Regulations 3 and 7 may not be substituted for this certificate):

Veterans' Emergency Housing Program  
Prefabricated Housing  
Serial # \_\_\_\_\_

Ratings: HH

I certify to the Civilian Production Administration and the National Housing Agency that the materials covered by this order will be used only in accordance with applicable regulations of those agencies, including Direction 8 to PR 33.

*Prefabricator*

The previous prohibition against a prefabricator's placing an HH rated order with a producer is revoked. Instead, the placing and filling of such orders are now controlled by the rules of Priorities Regulation 1 and of Schedule B to Priorities Regulation 33.

Where HH rated orders have already been placed with the certificate specified in Direction 8 to PR 33, as amended May 8, 1946, the certificate need not be changed to correspond with the certificate set out above. In addition, even though the former certificate stated that completed units made from the materials ordered would be sold only on orders rated HH, the prefabricator may sell them in accordance with paragraphs (k) and (n) below.

(h) *Delivery-date restrictions.* In placing an HH-rated or certified purchase order under this direction, a prefabricator must not specify a delivery date which is (1) more than 30 days before the time the materials are to be used by him or (2) later than the end of the third calendar month after the month in which the order is placed. "Delivery date" means the date of delivery at the prefabricator's plant or warehouse.

(i) *Use of materials.* In accordance with Priorities Regulation 1, materials obtained by a prefabricator under this direction may be used by him for the following purposes only: (1) for incorporation at the factory into prefabricated houses, sections, or panels conforming with the technical standards of paragraph (d) (2) above, or (2) for shipment as a minor part of a prefabricated package, if needed for installation at the building site or for assembly of the rest of the package at the building site.

(j) *Disposal of materials.* If a prefabricator is unable to use materials obtained

under this direction for the purposes for which they were authorized, he may use or dispose of them only as follows:

(1) By such other use as may be authorized in writing by the National Housing Agency; or

(2) By "special sale" under Priorities Regulation 13, if he is not regularly engaged in the business of selling such materials; or

(3) By sale as authorized by the National Housing Agency if, in addition to being a prefabricator, he is also regularly engaged in the business of selling such materials.

#### Sales and Purchase Restrictions

(k) *Prefabricators' sales.* A prefabricator may not sell a prefabricated house, section, panel or package containing materials obtained under this direction except on an order bearing either an HH rating or a dealer's certification as set out in paragraph (l) below. This does not apply to a prefabricator's sale of a prefabricated house, section, or panel erected by him, as a builder, under PR 33 (or HEP 5) authorization (see paragraph (n) below).

(l) *Dealers' purchases.* A wholesale or retail dealer may get a prefabricated house, section, panel, or package produced under this direction either by extending an HH rating served on him or by placing a purchase order bearing the following certification:

I certify to the Civilian Production Administration and the National Housing Agency that the prefabricated houses, sections, panels, and packages covered by this order will be sold by me only in accordance with applicable regulations of those agencies, including Direction 8 to PR 33.

#### Dealer

(m) *Dealers' sales.* A wholesale or retail dealer may not sell a prefabricated house, section, panel, or package obtained under paragraph (l) above except on an order bearing either an HH rating or a dealer's certification as set out in paragraph (l) above. This does not apply to the sale of a prefabricated house, section, or panel erected by him, as a builder, under PR 33 (or HEP 5) authorization (see paragraph (n) below).

(n) *Application by builder under PR 33 (or HEP 5).* A veteran of World War II or other builder who wishes to erect a prefabricated house, section, or panel may apply for an authorization to construct and an HH rating, and his application will be processed in the usual fashion. Previously, such applications were to be made under PR 33. They are now to be made under HEP 5. If his application is approved, the builder will be subject to all the requirements of the priorities regulation under which his application was approved, including the restrictions on sales price, rents, and preference to veterans. When the application is approved, the builder will be assigned an HH rating which he may use to get a prefabricated house, section, panel, or package and the necessary quantities of any other item on Schedule A of Priorities Regulation 33. This rating may be applied in accordance with, and subject to, the limitations of that Schedule and of applicable regulations. A prefabricator or a dealer may also apply in the same way as a builder, if he wishes to erect a prefabricated house, section, or panel manufactured or obtained by him under this direction. A prefabricator acting as an erector will be subject to the same requirements as a builder.

#### Miscellaneous

(o) *Communications and appeals.* Communications regarding the provisions of this direction, and appeals from these provisions, should be sent to the National Housing Agency, Washington 25, D. C., Ref: Dir. 8 to PR 33. An appeal should be made by letter, in triplicate, stating the particular provision appealed from and the full grounds for the appeal.

(p) *Violations.* Any person who wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(q) *Reporting requirements approved.* The reporting requirements of this direction have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of October 1946.

CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
*Recording Secretary.*

[F. R. Doc. 48-18844; Filed, Oct. 16, 1946;  
11:28 a. m.]

(j) *What the invoice must contain.* Upon the completion of each transaction, the seller must deliver to the purchaser an invoice which must contain a sufficiently complete description of the lumber to show whether or not the price is proper; i. e., grade, quantity, size, condition of dressing, pattern, species, and any other extra or specification which affects the maximum prices. The amount added for each specification or extra does not have to be separately shown except in those cases where the provision permitting the addition expressly requires it. Where the invoice does not specify the amount of each grade shipped or delivered, the maximum price of the lowest grade in the shipment shall apply to the whole order.

In addition to the foregoing, the invoice must show the applicable maximum price as provided for in this section and also the price received, paid, or charged. Where the maximum price is based on the mill price, which includes a commission or finder's fee, such commission or finder's fee must be shown separately on the invoice.

This amendment shall become effective as of August 5, 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
*Administrator.*

#### Statement of the Considerations Involved in the Issuance of Amendment 113 to Revised Maximum Price Regulation 373

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 50 of Revised Maximum Price Regulation 373 is amended in the following respects:

1. Paragraph (c) (2) is amended to read as follows:

(2) The maximum price for sales of softwood ordered for the buyer by a distribution yard and delivered to him at the dock in the port of entry in the Territory of Hawaii shall be the sum of the following:

(i) "Landed cost" as determined under Paragraph (d) hereof, plus

(ii) 10% of the f. o. b. mill maximum price. However, the f. o. b. mill maximum price may be increased by 2% in those cases in which the applicable mill regulation permits an addition to the f. o. b. mill price by a wholesaler or commission merchant.

2. Paragraph (d) (1) (i) is amended to read as follows:

(i) F. o. b. mill maximum price, in the mill regulation for the particular species, regardless of the amount actually paid to the mill. However, the f. o. b. mill maximum price may be increased by 2% in those cases in which Supplementary Order 150 permits an addition to the f. o. b. mill price by a wholesaler or commission merchant.

3. Paragraph (j) is amended to read as follows:

The accompanying amendment allows a two percent addition to the f. o. b. mill maximum price in computing the maximum price for sales of softwood ordered for the buyer by a distribution yard and delivered to him at the dock in the port of entry in the Territory of Hawaii, and for sales out of the distribution yard stock. It likewise redefines "landed cost" to include this percent wherever applicable as a part of the f. o. b. mill maximum price.

Supplementary Order 150, effective March 8, 1946, amended the various lumber regulations covering direct-mill sales of softwood species of lumber providing a mark-up over mill ceiling prices on direct-mill sales made by direct mill distributors. Under this order, five percent for wholesale-type sales and three percent for commission-type sales may be added to the basic f. o. b. mill prices.

Amendment No. 18 to 2d Revised Maximum Price Regulation 215, effective March 14, 1946, permits two percent to be added to the mill ceiling price in connection with the wholesale-type or commission-type merchant mark-up. Thus two percent of the three or five percent addition allowed under Supplementary Order 150 is passed on to the ultimate consumer and the remainder is absorbed by the retailer.

The accompanying amendment likewise allows a two percent addition to the mill ceiling prices in connection with the wholesale type or commission-type sale. The reasons for this action are the same as those stated in the Statement of Consideration accompanying Amendment 18

to 2d Maximum Price Regulation 215 and the applicable parts of that Statement are incorporated herein by reference. This amendment further requires that where the invoice shows a maximum price based on the mill price which includes a commission or finder's fee, the invoice shall show the amount of this fee.

Prior to the issuance of this amendment, members of the industry were advised and consulted and consideration was given to their recommendations. It is the opinion of the Price Administrator that the maximum prices established by this amendment are generally fair and equitable and will effectuate the purposes of the controlling statutes and executive orders.

[F. R. Doc. 46-18665; Filed, Oct. 16, 1946; 9:01 a. m.]

**PART 1347—PAPER AND PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING**

[RMPR 130;<sup>1</sup> Amdt. 15]

**NEWSPRINT PAPER**

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 130 is amended in the following respect:

Section 1347.283 (a) (2) is amended to read as follows:

(2) The maximum price for shipments to destinations in zone 4, exclusive of conversion charges, super standard differential and merchants' mark-ups as set forth in paragraphs (b), (c) and (d) of this section respectively, shall be \$85.00 hereinafter referred to as the "base price."

This amendment shall become effective October 11, 1946.

Issued this 11th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Statement of the Considerations Involved in the Issuance of Amendment 15 to Revised Maximum Price Regulation No. 130*

The accompanying amendment to RMPR 130 increases newsprint maximum prices \$10 per ton. The base price of standard newsprint is raised from \$75 to \$85 per ton. Delivered port prices are increased from the present \$74.00 per ton to \$84.00 per ton, and corresponding increases are made in the other maximum prices established by the regulation.

It has been determined by this Office that the supply of newsprint available to U. S. consumers is not at present in balance with the demand for the commodity. This situation exists in spite of a current production of newsprint in North America substantially above any recorded previous level and in spite of record shipments of newsprint received by U. S. newspaper publishers during the first eight months of 1946.

<sup>1</sup> 10 F. R. 5786.

This Office is continuing its study of the relation of newsprint prices to business and living costs. However, in view of the relationships existing among newsprint, other paper and other forest products, decontrol of newsprint at the present time under the standard of section 1A (d) (1) of the Emergency Price Control Act of 1942, as amended, would not be consistent with the avoidance of a cumulative and dangerous unstabilizing effect.

While the Administrator has determined that decontrol of newsprint is not now feasible, a price increase is necessary to prevent a reduction in newsprint supplies available to U. S. newspaper publishers. No substantial increase in either production of newsprint or shipments to U. S. publishers can be anticipated in the next six months regardless of action which might be taken by the Office of Price Administration. There is, however, danger of diversion of newsprint supplies away from U. S. consumers into other markets. Prices currently offered for newsprint range from below the ceilings existing prior to the present action (in the case of sales to Canadian consumers) to levels considerably in excess of previous U. S. ceiling prices. The Administrator has considered prices which can be obtained on foreign newsprint in various markets. Prices in markets which can be considered reasonably stable and which offer a long term market inducement to newsprint sellers were approximately \$10 per ton above U. S. ceilings existing prior to the present action. The present price increase will bring the U. S. ceiling price up to the levels existing in these competitive markets.

In considering the U. S. newsprint supply Canadian and Newfoundland shipments are of paramount importance, since Canada and Newfoundland at present supply 81% of the total U. S. requirements for newsprint. The newsprint demands in many other countries have increased as rapidly as those of the U. S. although some European countries have been forced to reduce their consumption. At the same time, the total world supply of newsprint has been curtailed as a result of the war and, although Canadian and Newfoundland newsprint production has increased substantially, the demand for this production has increased even more sharply. The total world production of newsprint is estimated at approximately 6,500,000 tons during 1946 compared with a production of 7,500,000 tons in 1938. Of the 6,500,000 tons of anticipated newsprint production in 1946 about 4,500,000 tons or approximately 70% will come from Canada and Newfoundland compared with production in Canada and Newfoundland during 1938 of slightly less than 3,000,000 tons, which amounted to only 40% of the total world production. Thus, Canada and Newfoundland are being called on today to supply a much larger proportion of total world newsprint needs than they did in 1938.

This substantial demand for newsprint in other markets and existing higher prices in those markets present a serious threat of diversion of news-

print away from U. S. consumers. It is anticipated that the present price increase will enable U. S. publishers to maintain their present position in competing for newsprint.

Accordingly, the Administrator finds that the accompanying action is consistent with and will effectuate the purposes of Executive Order 9599 and the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-18677; Filed, Oct. 16, 1946; 8:49 a. m.]

**PART 1305—ADMINISTRATION**

[SO 186 (**§ 1305.238**)]

**PRESERVATION OF RECORDS**

Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, the Second War Powers Act, as amended, and Executive Orders 9125, 9250, as amended, and 9328, it is hereby ordered, that:

**SECTION 1. Preservation of records.** All persons shall preserve for examination by the Office of Price Administration until July 1, 1947, all records, documents, reports, books, accounts, invoices, saleslists, salesslips, orders, vouchers, contracts, receipts, bills of lading, correspondence, memoranda, and other papers, and drafts and copies thereof, required to be made or kept on or before October 14, 1946, by any regulation, order, price schedule or other document issued by the Administrator under any of the foregoing acts or Executive orders with respect to livestock, or food or feed products processed or manufactured in whole or substantial part from livestock as defined in Amendment 64 to Supplementary Order 132.

**SEC. 2. Definition.** The term "person" used herein, shall have the same meaning as in the Emergency Price Control Act of 1942, as amended.

**NOTE:** The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Acts of 1942.

This Supplementary Order No. 186 shall become effective October 15, 1946.

Issued this 15th day of October 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-18823; Filed, Oct. 16, 1946; 11:16 a. m.]

**PART 1351—FOOD AND FOOD PRODUCTS**

[MPR 421;<sup>1</sup> Amdt. 37]

**CEILING PRICES OF CERTAIN FOODS SOLD AT WHOLESALE**

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Section 13 is amended by adding paragraph (j) to read as follows:

<sup>1</sup> 11 F. R. 6081, 8968, 9684, 10655, 10430, 11198.

(j) Recalculation of maximum prices for canned salmon. With the first delivery to you of each item of canned salmon after October 16, 1946, you shall refigure your ceiling price for the item in accordance with the provisions of sections 3 and 4.

This amendment shall become effective October 16, 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Statement of the Considerations Involved in the Issuance of Amendment 37 to Maximum Price Regulation 421; Ceiling Prices of Certain Foods Sold at Wholesale; Amendment 80 to Maximum Price Regulation 422; Ceiling Prices of Certain Foods Sold at Retail in Group 3 and Group 4 Stores; Amendment 76 to Maximum Price Regulation 423*

Packers of canned salmon have been granted price increases from time to time and wholesalers and retailers have been able to recalculate their price accordingly by virtue of the notification provisions of the commodity regulation. However, the latest price increase was granted so recently that packers are not able to enclose such a notification in the cases or cartons. Most of the pack has already been readied for shipment and is on the docks awaiting transportation. Maritime strikes have held up shipments to such an extent that practically none of the current pack has moved into commercial channels.

If packers were required to open each case to insert the notice or to fasten it on to each case, the time and expense involved would work undue hardship. Therefore, by the accompanying amendment, wholesalers, and retailers are expressly permitted to recalculate their ceiling prices on canned salmon even though they do not receive the usual notification. Instead they may recalculate upon receipt of the first delivery after the effective date of these amendments. Retailers may recalculate again if that first delivery is received before the supplier has recalculated his own ceiling. This action is identical as to cause and effect with the action taken earlier in regard to canned pineapple and pine-apple juice.

[F. R. Doc. 46-18829; Filed, Oct. 16, 1946;  
11:18 a. m.]

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#### PART 1305—ADMINISTRATION

[SO 132,<sup>1</sup> Amdt. 62]

#### CONTROL OF CERTAIN WHISKEY

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously

<sup>1</sup> 10 F. R. 94954, 15170; 11 F. R. 296, 297, 881, 1102, 1467, 2378, 2640, 2989, 2927, 3247, 3396, 4021, 4080, 4261, 4066, 5353, 5598, 5599, 5650, 5740, 5868, 5781, 6232, 6606, 6863, 7185, 8446, 8534, 8647, 8643, 8827, 8864, 9032, 9031, 9189, 9349, 9447, 9525, 9526, 9852.

herewith and filed with the Division of the Federal Register.

Supplementary Order No. 132 is amended in the following respect:

The following item is added to section 1 (d) in alphabetical order:

Whiskey (as defined in Maximum Price Regulation 445) stored in new white oak bourbon cooperage if such whiskey was distilled on or after October 16, 1946.

This amendment shall become effective October 16, 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

Approved: October 8, 1946.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

*Statement of the Considerations Involved in the Issuance of Amendment No. 62 to Supplementary Order No. 132*

New bulk whiskey in barrels has dollars-and-cents maximum prices established by section 2.3 (c) (1) and (2) of Article II, Maximum Price Regulation 445.

In June 1946 new white oak whiskey barrels were suspended from price control. At the time of such suspension the maximum price for such barrels was \$12.06 per barrel, but, according to trade reports, such barrels are now selling at an average price of about \$25.00 per barrel. There have also been increases in other costs of making whiskey, including fuel and freight, the effect of which would have to be considered in determining the fairness of present maximum prices of new whiskey if this commodity were to be continued under control.

New whiskey stored in new barrels is generally intended by the industry, under present conditions, to be kept for aging at least two years. On the other hand, it is the present general practice of distillers to put into used barrels the whiskey which they intend to bottle in less than two years. It is anticipated that the industry, as a result of the shortage of new cooperage, will continue this division of its barrel supply, and that such practice will result in keeping the major portion of current whiskey stored in new cooperage away from the consumer market for at least two years, at which time whiskies in general may be expected to be in adequate supply and sufficient to meet normal consumer demand. During the interim two-year period the cost of new whiskey in new cooperage will have little effect, if any, on the cost of living, especially since controls are still in effect on packaged whiskey. Moreover, the retention of price control on new whiskey in used barrels will tend to prevent the price of the product in new cooperage from rising unduly.

For the foregoing reasons the accompanying amendment exempts whiskey stored in new cooperage if such whiskey was distilled on or after the effective date of the accompanying amendment.

[F. R. Doc. 46-18835; Filed, Oct. 16, 1946;  
11:19 a. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422<sup>1</sup>, Amdt. 80]

#### CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Section 16 is amended by adding paragraph (m) to read as follows:

(m) Recalculation of maximum prices for canned salmon. With the first delivery to you of each item of canned salmon after October 16, 1946, you shall refigure your ceiling price for the item in accordance with the provisions of sections 3 and 4.

However, if that delivery is made before your supplier has refigured his ceiling price in accordance with section 13(j) of Maximum Price Regulation 421, added by Amendment 37, you may again refigure your ceiling price with the first delivery of the item after he has refigured his ceiling price in accordance with that section.

This amendment shall become effective October 16, 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Statement of the Considerations Involved in the Issuance of Amendment 37 to Maximum Price Regulation 421; Ceiling Prices of Certain Foods Sold at Wholesale; Amendment 80 to Maximum Price Regulation 422; Ceiling Prices of Certain Foods Sold at Retail in Group 3 and Group 4 Stores; Amendment 76 to Maximum Price Regulation 423*

Packers of canned salmon have been granted price increases from time to time and wholesalers and retailers have been able to recalculate their prices accordingly by virtue of the notification provisions of the commodity regulation. However, the latest price increase was granted so recently that packers are not able to enclose such a notification in the cases or cartons. Most of the pack has already been readied for shipment and is on the docks awaiting transportation. Maritime strikes have held up shipments to such an extent that practically none of the current pack has moved into commercial channels.

If packers were required to open each case to insert the notice or to fasten it on to each case, the time and expense involved would work undue hardship. Therefore, by the accompanying amendment, wholesalers and retailers are expressly permitted to recalculate their ceiling prices on canned salmon even though they do not receive the usual notification. Instead they may recalculate upon receipt of the first delivery after the effective date of these amendments. Retailers may recalculate again if that first delivery is received before the supplier has recalculated his own ceiling.

<sup>1</sup> 11 F. R. 6397, 6763, 8968, 9697, 10655, 10430.

This action is identical as to cause and effect with the action taken earlier in regard to canned pineapple and pineapple juice.

[F. R. Doc. 46-18830; Filed, Oct. 16, 1946; 11:18 a. m.]

**PART 1351—FOOD AND FOOD PRODUCTS**  
[MPR 423,<sup>1</sup> Amdt. 76]

**CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN \$250,000 (GROUP 1 AND GROUP 2 STORES)**

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Section 17 is amended by adding paragraph (m) to read as follows:

(m) *Recalculation of maximum prices for canned salmon.* With the first delivery to you of each item of canned salmon after October 16, 1946, you shall refigure your ceiling price for the item in accordance with the provisions of sections 3 and 4.

However if that delivery is made before your supplier has refigured his ceiling price in accordance with section 13 (j) of Maximum Price Regulation 421, added by Amendment 37, you may again refigure your ceiling price with the first delivery of the item after he has refigured his ceiling price in accordance with that section.

This amendment shall become effective October 16, 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Statement of the Considerations Involved in the Issuance of Amendment 37 to Maximum Price Regulation 421; Ceiling Prices of Certain Foods Sold at Wholesale; Amendment 80 to Maximum Price Regulation 422; Ceiling Prices of Certain Foods Sold at Retail in Group 3 and Group 4 Stores; Amendment 76 to Maximum Price Regulation 423*

Packers of canned salmon have been granted price increases from time to time and wholesalers and retailers have been able to recalculate their prices accordingly by virtue of the notification provisions of the commodity regulation. However, the latest price increase was granted so recently that packers are not able to enclose such a notification in the cases or cartons. Most of the pack has already been readied for shipment and is on the docks awaiting transportation. Maritime strikes have held up shipments to such an extent that practically none of the current pack has moved into commercial channels.

If packers were required to open each case to insert the notice or to fasten it on to each case, the time and expense involved would work undue hardship. Therefore, by the accompanying amendment, wholesalers, and retailers are expressly permitted to recalculate their

ceiling prices on canned salmon even though they do not receive the usual notification. Instead they may recalculate upon receipt of the first delivery after the effective date of these amendments. Retailers may recalculate again if that first delivery is received before the supplier has recalculated his own ceiling. This action is identical as to cause and effect with the action taken earlier in regard to canned pineapple and pineapple juice.

[F. R. Doc. 46-18831; Filed, Oct. 16, 1946; 11:18 a. m.]

**PART 1377—WOODEN CONTAINERS**  
[MPR 481, Amdt. 12]

**SLACK COOPERAGE AND COOPERAGE STOCK**

A statement of the considerations involved in the issuance of this amendment, issued simultaneously, herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 481 is amended in the following respects:

1. In section 4, subsection (a) (1) is amended to read as follows:

(1) Staves and heading produced in the following states: Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia or West Virginia.

Knife-cut, beveled, wood hoops and headliners produced in Arkansas, Louisiana, Indiana, or Ohio.

**TABLE I—SLACK STAVES, KNIFE CUT, HARDWOOD, AIR-DRIED, JOINTED**

[Per M, grading rule average measurement, f. o. b. mill or railhead]

Item	Mill run	No. 1	No. 2 <sup>1</sup>	No. 3
All hardwood species except Ash No. 1: <sup>2</sup>				
Over 30" through 34"	\$26.90	\$29.15	\$24.60	\$20.60
28" through 30"	22.90	25.15	20.60	17.15
23" to 28"	19.45	21.75	17.15	—
Over 18" to 23"	16.00	18.30	13.75	—
18" and under	12.60	14.85	10.30	—
Ash No. 1:				
100% white butter tub stock, 30"	29.75	—	—	—
Red butter tub stock, 30"	26.30	—	—	—
Woods Run butter tub stock, 30" <sup>3</sup>	28.60	—	—	—

<sup>1</sup> Except moldy, mildewed and stained.

<sup>2</sup> Individually or mixed.

<sup>3</sup> Must contain at least 66% all white.

NOTE: A. Allowable additions to maximum prices for staves per M.

1. Kiln drying to 7% or less..... \$1.70  
2. Tongue and groove through 30"..... 2.30  
Over 30" through 34"..... 2.85

B. The maximum prices for mouldy, mildewed and/or stained staves is \$1.15 per M less than that for the regular grade. In #2, this is an exception to the grading rule.

**TABLE II—SLACK STAVES, SAWED ON PARALLEL SIDED DRUM SAW, AIR-DRIED, JOINTED, NOT CROZED, PER M, 4" AVERAGE BILGE WIDTH, 3/8" THICK**

[F. O. B. mill or railhead]

Length of staves	Pine	Hardwood
28 1/2"	\$18.30	\$19.45
Over 28 1/2" through 30"	19.45	20.60
Over 30" through 32"	20.60	21.75

TABLE III—PINE HEADING, SAWED, KILN DRIED, PLANED ONE SIDE, STRAIGHT JOINTED, CIRCLED, BUNDLED

[Per set, f. o. b. mill or railhead]

Diameter (inches)	No. 1	M. R.	No. 2
12 1/2 to 13 x 1/4	\$0.11	\$0.10	\$0.09
13 to 14 x 1/4	.12	.11	.10
14 to 15 x 1/4	.15	.14	.125
15 to 16 x 1/4	.165	.155	.145
16 to 17 x 1/4	.175	.165	.155
17 to 18 x 1/4	.195	.185	.17
18 to 19 x 1/4	.20	.19	.175
19 to 19 1/2 x 1/4	.21	.20	.19
19 1/2 to 20 x 1/4	.22	.21	.20
20 to 21 x 1/4	.245	.235	.22
21 to 22 x 1/4	.275	.265	.25
22 to 23 x 1/4	.31	.30	.29
23 through 24 x 1/4	.41	.40	.39

Planed 2 sides add 2.2¢ per set.

Add per set

Square edge heading.....	\$0.017
Hardwood heading.....	.044
For additional thicknesses all sizes and species add:	
$\frac{3}{16}$ ".....	.11
$\frac{1}{8}$ ".....	.22
For additional thicknesses all sizes and species:	
$\frac{1}{4}$ ".....	.55
$\frac{9}{16}$ ".....	.83
$\frac{3}{8}$ ".....	.111

	Pine	Hardwood
Add for tongue, grooved and glued:		
12 1/2" through 15 1/2"	\$0.028	\$0.033
16"	.033	.039
18" through 19 1/2"	.039	.044
20" through 21 1/2"	.044	.050
22" through 24"	.055	.061

**TABLE IV—WOODEN HOOPS**

[Per M, f. o. b. mill or railhead]

Length of hoop	Arkansas and Louisiana	Indiana and Ohio
6' 9"	\$27.65	\$30.40
6' 0"	26.80	29.30
5' 6"	25.40	28.20
5' 3"	24.30	27.05
5' 0"	22.10	24.85
4' 8"	15.45	18.25
4' 4"	14.35	17.15
4' 0"	13.25	16.00
3' 8"	12.15	14.90
3' 4"	11.05	13.80
3' 0"	8.85	11.60

**TABLE IV-A—HEADLINERS**

[Per M, f. o. b. mill or railhead]

Length	Arkansas and Louisiana	Indiana and Ohio
12"	\$1.40	\$1.65
13"	1.65	1.95

On shipments of staves and/or headlings of 6,000 pounds or less from a producing factory, a mark-up of 10 percent may be added to the maximum prices contained in the schedule.

Prices previously authorized for sellers under section 10 (c) of this regulation remain in effect unless they are lower than those established in this section.

2. In section 5, subsection (a) is amended to read as follows:

(a) *Factory or mill sales.* (1) The maximum f. o. b. factory price of any slack barrel or keg made entirely or par-

<sup>1</sup> 11 F.R. 6420, 6764, 8968, 9685, 10655, 10430.

tially of staves and heading produced in the states of Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia or West Virginia shall be the producers' f. o. b. factory price as established by the General Maximum Price Regulation for the same barrel to a purchaser of the same class plus actual increases in the cost of materials used in the barrel computed by using the ceiling prices in effect on July 1, 1944 or November 11, 1944 whichever are lower, plus 5 cents per barrel.

To the price so computed may be added the following amounts:

	Cents per barrel
1. On barrels priced below \$1.00	7
2. On barrels priced from \$1.00 to \$1.40 inclusive	8
3. On barrels priced over \$1.40	9

Prices for barrels or kegs previously authorized for sellers under section 10 (c) of this regulation remain in effect unless they are lower than those established in this section.

Prices for barrels authorized under section 6 of this regulation shall be those originally authorized until changed by letter-order pursuant to written request of sellers concerned addressed to the Lumber Branch, Office of Price Administration, Washington 25, D. C., as provided in section 6.

(2) The maximum prices for kegs and barrels made entirely or partially of stock produced in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island or Vermont shall be the prices established under the General Maximum Price Regulation. The maximum prices for tubs, buckets, pails or kits made of any stock covered by this regulation shall be the prices established under the General Maximum Price Regulation except that the maximum prices for such items when produced of stock priced in section 4 (a) subparagraph (1) shall be the prices established under the General Maximum Price Regulation plus 3 2/10 cents.

This amendment shall become effective October 16, 1946.

**NOTE:** All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Statement of the Considerations Involved in the Issuance of Amendment 12 to Maximum Price Regulation 481*

This amendment replaces the interim adjustments provided in Amendments 10 (issued April 4, 1946, and effective April 9, 1946) and 11 (issued August 9, 1946, and effective August 14, 1946) with price increases as follows:

Item	Increases over ceiling prices of April 8, 1946, provided by this Amendment		Temporary increases over ceiling prices of April 8, 1946, superseded by this Amendment	
	Percent	Cents per barrel	Percent	Cents per barrel
Slack staves	14.4	10.0		
Slack heading	10.8	5.0		
Wooden hoops and headliners	10.5		10.0	
Slack barrels:				
Priced at less than \$1.00	7			
Priced at \$1.00 through \$1.40	8		5	
Priced at over \$1.40	9		5	
Buckets, tubs, kits, and pails made from stock priced in section 4 (a) subparagraph 1	3.2		2	

The current price increases representing the minimum adjustments required by the applicable standards of this Office, amount to increases of approximately 4 percent on slack staves, 5.5 percent on slack heading, less than one-half of one percent on wooden hoops and headliners, 3 cents on slack barrels and 1.2 cents on buckets, tubs, kits, and pails over those temporarily authorized in April and August of this year.

The new prices are based on cost surveys of slack stave mills, slack heading mills, hoop and headliner mills, and slack barrel plants made earlier this year at the request of the Slack Cooperage Industry Advisory Committee. The data submitted in the surveys, covering 1945 operations of these mills and plants, were supplemented by information covering cost increases occurring in 1946, including allowable wage increases, in order to reflect current costs of production.

Inasmuch as only a portion of the industry reported allowable wage increases in 1946, the increased labor cost was not reflected for the industry generally but only in the costs of those mills and companies which reported increases approved or authorized by the Wage Stabilization Board for price adjustment purposes. The industry average cost of production was therefore adjusted only to the extent that the costs of these producers affect the weighted average.

The increases in prices for slack staves, slack heading, and for wooden hoops and headliners are designed to cover the weighted average total cost of production of the respective products. Any other applicable standard used by this Office would result in a lower increase for the industry. Therefore, the weighted average total cost for each product was used under the transition product standard and was arrived at after allowances for the 1946 wage cost increases described above, as well as increases in the cost of purchased logs and logging operations and in the cost of slack stave bolts.

The average price increase of 8 cents per slack barrel over prices in effect prior to the interim adjustment was determined in a similar manner. Costs for 1945 were adjusted for 1946 cost increases in labor, steel, and freight and for expected economies in the ensuing year. The adjusted cost data indicated

that a price increase of slightly over 1/3 of 1 percent is necessary to cover the current weighted average cost of production of slack barrels. This increase, amounting to but a fraction of a cent on the average barrel, does not take into account the higher prices of staves, heading, wooden hoops and headliners provided by this amendment. Considering these price increases, an over-all adjustment of 8 cents per barrel is necessary to meet the minimum requirements of law.

The industry has contended that a larger price increase is needed for the higher-priced slack barrel, now being widely used for powdered eggs and powdered milk. On the basis of expected sales breakdowns projected from the available data, it was possible to allocate the 8 cent increase over the three price classifications of barrels as follows: 7 cents per barrel over pre-interim prices for barrels which at that time sold for less than \$1.00; 8 cents over pre-interim prices for those which sold for \$1.00 and over but not for more than \$1.40; and 9 cents per barrel for those which sold for more than \$1.40.

The price increase of 3.2 cents for tubs, buckets, kits and pails produced of stock priced in section 4 (a) subparagraph (1) of the regulation is 1.2 cents greater than the interim adjustment under Amendment 11 and will, on the basis of available evidence, reflect increased costs to the same degree as the 8 cents per barrel increase.

Although cost data are not available separately for the extra operations, such as kiln drying, tongue and grooving, and gluing, there is sufficient evidence to conclude that the cost of these operations have increased. Since the increases provided by this amendment for staves and heading are predicated on the overall cost in the production of staves or heading, as the case may be, it is appropriate in giving true reflection to the results of the cost survey to provide the price increase factors on all charges incidental to the production of staves and heading. Therefore the extras are increased by the same percentages as staves and heading.

In view of the foregoing considerations, the Administrator finds that this amendment is necessary, proper and consistent with the purposes and standards of the Emergency Price Control Act of 1942, as amended, and the relevant Executive orders of the President.

[F. R. Doc. 46-18828; Filed, Oct. 16, 1946; 11:17 a. m.]

**PART 1382—HARDWOOD LUMBER**

[RMPR 97,<sup>1</sup> Amdt. 25]

**SOUTHERN HARDWOOD LUMBER**

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

<sup>1</sup> 9 F.R. 5223; 10 F.R. 595, 1788, 1789, 2244, 2929, 4658, 6247, 10184, 11858, 14187, 14607; 11 F.R. 3886.

In Revised Maximum Price Regulation 97, § 1382.112 (b) (1) (iii) is amended by the addition of the following company to the list of qualified tough ash specialty establishments:

H. B. Houck Lumber Company, Little Rock, Arkansas.

This amendment shall become effective October 21, 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Statement of the Considerations Involved in the Issuance of Amendment 25 to Revised Maximum Price Regulation 97*

This amendment adds H. B. Houck Lumber Company, Little Rock, Arkansas, to the list of certified "tough ash specialty establishments" contained in the regulation.

Standards for certification are set forth in the regulation; the above named company has represented that its operation meets all of those standards.

Provision is made in the regulation for revocation of the certification if the establishment fails to continue to meet all such requirements.

[F. R. Doc. 46-18834; Filed, Oct. 16, 1946;  
11:19 a. m.]

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**Chapter XVIII—Office of Economic Stabilization, Office of War Mobilization and Reconversion**

[Directive 139]

**PART 4003—SUBSIDIES: SUPPORT PRICES  
CONTINUATION OF COAL TRANSPORTATION  
SUBSIDY PAYMENT PROGRAM**

**§ 4003.85a Continuation of Coal Transportation Subsidy Payment Program.** (a) Directive 134 of this office, issued and made effective August 30, 1946 found that the continuation of the subsidy program in effect under Revised Compensatory Adjustment Regulation No. 1 of the Office of Price Administration is necessary to insure the maximum necessary production and distribution of coal in the New England and New York Harbor areas, to maintain and administer price ceilings with respect to coal, and to prevent price rises inconsistent with the stabilization laws. Accordingly, the Reconstruction Finance Corporation and the Office of Price Administration were directed to continue subsidy payments under the provisions of said regulation without change in respect to coal received after June 30, 1946 and before November 1, 1946. The Office of Price Administration was further directed to formulate a plan for the reduction of the subsidy to become effective November 1, 1946.

(b) Pursuant to Directive 134, a plan for the reduction in subsidy payments has been proposed which generally provides for a reduction in total subsidy payments amounting to approximately 66 2/3 % on payments made with respect to coal received after December 31, 1946 and the termination of all payments with respect to coal received after March 31, 1947. I find that the proposed plan

is generally fair and equitable and will not interfere with the maximum necessary production and distribution of coal in the New England and New York Harbor area and is in accordance with Directive 134 of this office and the Emergency Price Control Act of 1942, as amended.

Accordingly, *It is hereby ordered:*

(1) The Reconstruction Finance Corporation is directed to make financial arrangements to continue to make subsidy payments on transportation of coal to New England and the New York Harbor area in respect to coal received after October 31, 1946 and before April 1, 1947, upon certification by the Office of Price Administration of claims filed by applicants pursuant to the Office of Price Administration's Revised Compensatory Adjustment Regulation No. 1 as amended in accordance with this Directive.

(2) The Office of Price Administration is directed to amend its Revised Compensatory Adjustment Regulation No. 1 so as to provide for the progressive reduction and final termination of subsidy payments with respect to coal received after October 31, 1946, and before April 1, 1947, and to certify to the Reconstruction Finance Corporation for payment compensatory adjustment claims which have been so reduced. The first reduction shall apply to coal received after October 31, 1946, and before January 1, 1947; a second reduction shall apply to coal received after December 31, 1946, and before April 1, 1947; no subsidy payments shall be made with respect to coal received after March 31, 1947. The reductions with respect to bituminous coal shall be so computed as to generally eliminate all payments with respect to southern bituminous coal moving via tidewater from Hampton Roads in cargo-boats of 1,000 gross tons or more received after December 31, 1946, and with respect to Pennsylvania anthracite, subsidy payments shall be generally eliminated on all rail shipments of anthracite received after December 31, 1946. The reductions in payments shall be computed as follows:

(i) With regard to bituminous coal, the first and second reductions shall be calculated by taking respectively 50% and 100% of the average estimated compensatory adjustment payments on southern bituminous coal moving via tidewater from Hampton Roads in cargo-boats of 1000 gross tons or more to each receiving area as defined by OPA. The resulting cents per gross ton figure for each period shall be deducted from all claims from each such area relating to shipments received during the respective period regardless of the method of transportation employed or the source of the coal.

(ii) With regard to Pennsylvania anthracite, the first and second reductions shall be calculated by taking respectively 50% and 100% of the average estimated compensatory adjustment payments on all rail shipments of anthracite to each receiving area as defined by OPA. The resulting cents per gross ton figure for each period shall be deducted from all claims from each such area relating to shipments received during the respective period regardless of the method of transportation employed.

(3) The Office of Price Administration is further directed to increase the maximum prices for bituminous coal and Pennsylvania anthracite to the extent found necessary to compensate generally for decreases in compensatory adjustment payments relating to coal received after October 31, 1946 and before April 1, 1947.

(4) The Office of Price Administration is further directed to make provision for generally eliminating the possibility of any inventory gain on the part of coal dealers as a result of price increases to compensate for decreases in subsidy payments.

(56 Stat. 765; 58 Stat. 632, 642, 784; 59 Stat. 306; 15 U. S. C. 713a-8, 713a-8 note, 50 U. S. C. App. 901-903, 921-925, 961-971; Pub. Law 548, 79th Cong.; E. O. 9250, 9328, 9599, 9651, 9697, 9699, 9762, 7 F. R. 7871, 8 F. R. 4681, 10 F. R. 10155, 13487, 11 F. R. 1691, 1929, 8073)

Issued and effective this 14th day of October 1946.

JOHN R. STEELMAN,  
Director of War Mobilization  
and Reconversion, Director of  
Economic Stabilization.

[F. R. Doc. 46-18612; Filed, Oct. 16, 1946;  
8:52 a. m.]

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**Chapter XXIII—War Assets  
Administration**

**PART 8305—SURPLUS NON-INDUSTRIAL  
REAL PROPERTY**

**CROSS REFERENCE:** For an exception to the provisions of § 8305.7 (b), see War Assets Administration, in the Notices section, *infra*.

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**TITLE 36—PARKS AND FORESTS**

**Chapter II—Forest Service, Department  
of Agriculture**

**DELEGATION OF AUTHORITY TO CHIEF OF  
FOREST SERVICE FROM SECRETARY OF  
AGRICULTURE WITH RESPECT TO FOREST  
HIGHWAYS**

**CROSS REFERENCE:** For delegation of authority from the Secretary of Agriculture to the Chief of Forest Service with respect to 23 CFR, 15.4 (d) and (e), see Title 7, Subtitle A, Part 1, *supra*.

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**Chapter III—Corps of Engineers,  
War Department**

**PART 311—RULES AND REGULATIONS GOV-  
ERNING PUBLIC USE OF CERTAIN RESER-  
VOIR AREAS**

**Correction**

In Federal Register Document 46-18064, appearing at page 11595 of the issue for Tuesday, October 8, 1946, paragraph (b) of § 311.1 should read as follows:

(b) Norfork Reservoir Area, North Fork River, Missouri and Arkansas.

**TITLE 49—TRANSPORTATION AND RAILROADS****Chapter I—Interstate Commerce Commission**

[S. O. 624, Corrected]

**PART 95—CAR SERVICE****MOVEMENT OF GRAIN TO TERMINAL ELEVATORS BY PERMIT**

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 10th day of October A. D. 1946.

It appearing, that there is a shortage of boxcars for the transportation of all commodities, which will be aggravated during the coming months by weather conditions and that there is an urgent need to regulate transportation of grain in carloads to Atlantic Seaboard ports (Hampton Roads, Va., and north thereof) by limiting the number of cars of grain permitted in those ports; the Commission is of opinion an emergency requiring immediate action exists to prevent further aggravation of the car shortage and undue delay to equipment: it is ordered, that:

(a) *Movement of grain into port areas restricted.* No common carrier by railroad subject to the Interstate Commerce Act shall accept for transportation, transport, or move any car loaded with export grain waybilled and consigned to any elevator or for direct delivery to a vessel in the port area of any Atlantic Seaboard port (Hampton Roads, Va., and north thereof) unless such origin carrier has first obtained a permit from the elevator or the delivering railroad in the port area authorizing the movement of such grain in carloads into the port area.

(b) *Appointment of agent and designation of duties.* (1) Mr. A. S. Johnson, Assistant Director, Railway Transport Department, Office of Defense Transportation, Room 5139 ICC Building, Phone: Republic 7500, Ext. 73208, is hereby designated and appointed as an agent of this Commission and authorized to appoint elevators or delivering carriers in the port areas as permit agents under paragraph (a) hereof.

(2) In appointing elevators and delivering carriers in port areas described herein as permit agents Mr. Johnson is authorized to prescribe the terms and conditions under which permits may be issued and is authorized at any time to change, revoke or cancel the terms or conditions under which permits may be issued.

(c) *Application.* The provisions of this order shall apply to foreign commerce as well as interstate commerce.

(d) *Effective date.* This order shall become effective at 7:00 a. m., October 14, 1946.

(e) *Expiration date.* This order shall expire at 7:00 a. m., January 1, 1947, unless otherwise modified, changed, suspended, or annulled by order of this Commission. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901; 48 U. S. C. 1 (10)-(17))

It is further ordered, that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscrib-

ing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.[F. R. Doc. 46-18655; Filed, Oct. 16, 1946;  
8:45 a. m.]

currence with the provisions of Items 390 (b) or 390 (c).

910 (c). Asphalt, in bags, shall be loaded to a weight of not less than 60,000 pounds; in blocks weighing 400 pounds or more each, shall be loaded one tier high covering the entire floor space of the car; in wooden barrels with open heads, capacity 40 gallons or more each, or weighing 400 pounds or more each, shall be loaded one tier high covering the entire floor space of the car.

950. *Dates.* In packages, shall be loaded to a weight of not less than 37,500 pounds.

Amendment 7 to Special Direction ODT 18A-1 shall become effective October 17, 1946.

(54 Stat. 676, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, Public Law 475, 79th Congress, 60 Stat. 345; 50 U. S. C. App. 633, 645, 1152; E. O. 8989, as amended, 6 F. R. 6725, 8 F. R. 14183; E. O. 9729, 11 F. R. 5641)

Issued at Washington, D. C., this 11th day of October 1946.

A. H. GASS,  
Director,Railway Transport Department,  
Office of Defense Transportation.[F. R. Doc. 46-18598; Filed, Oct. 16, 1946;  
8:52 a. m.]

[Special Direction ODT 18A-1, Amdt. 7]

**PART 500—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS****CARLOAD FREIGHT TRAFFIC**

Pursuant to the provisions of § 500.73 of General Order ODT 18A, Revised, as amended (11 F. R. 8229, 8829, 10616), Special Direction ODT 18A-1, as amended (8 F. R. 14481; 9 F. R. 117, 7587; 10 F. R. 12456, 12747; 11 F. R. 9084, 10662), is hereby further amended by changing or adding the items shown below to read as follows:

26. *Cleaning compounds, not otherwise specified herein.* In packages, shall be loaded to a weight of not less than 60,000 pounds.

166. *Phosphate of calcium, phosphate of sodium, phosphate of ammonia, disodium phosphate, sodium metasilicate and trisodium phosphate.* In packages, shall be loaded to a weight of not less than 50,000 pounds.

167. *Starch, potato.* In packages, shall be loaded to a weight of not less than 60,000 pounds.

191. *Refined clay.* In bags, shall be loaded to a weight of not less than 60,000 pounds.

231 (e) *Fire brick, clay, silicate, magnesite, chrome, fire clay, high temperature bonding mortar, in straight or mixed carloads, shall be loaded to a weight of not less than 70,000 pounds.*

284. *Tile, roofing, asphalt.* Shall be loaded to a weight of not less than 60,000 pounds.

386. *Linoleum cement, linoleum paste, caulking compound, roofing cement (roof coatings).* In packages, in straight or mixed carloads, shall be loaded to a weight of not less than 50,000 pounds.

390. *Foodstuffs.*

(a) In cans, or in glass, packed in cardboard or fibreboard cartons, in straight or mixed carloads, shall be loaded to a weight of not less than 65,000 pounds, or in ac-

**TITLE 50—WILDLIFE**  
**Chapter I—Fish and Wildlife Service, Department of the Interior****PART 11—ESTABLISHMENT, ETC., OF NATIONAL WILDLIFE REFUGES****WHEELER MIGRATORY WATERFOWL REFUGE**

*CROSS REFERENCE:* For an addition to the tabulation contained in § 11.1, see Executive Order 9790, *supra*.

**Notices****DEPARTMENT OF COMMERCE.****Civil Aeronautics Administration.****FEDERAL-AID AIRPORT PROGRAM; LAND ACQUISITION****NOTICE OF AMENDMENT TO PROPOSED RULES AND REGULATIONS**

Notice is hereby given that the proposed rules and regulations governing the Federal-Aid Airport Program (proposed Part 550, Title 14, Chapter II of the rules and regulations of the Administrator of Civil Aeronautics) published in the FEDERAL REGISTER of September 7, 1946 (11 F. R. 9886) as the subject of an informal public hearing to be held in Washington, D. C., commencing October 28, 1946, are hereby amended by adding a new § 550.0201, "Land Acquisition", reading as follows:

§ 550.0201 *Land acquisition.* The acquisition of land or of any interest therein or easement through or other interest in air space shall be eligible for inclusion in a project only if such acquisition is necessary: (a) to permit the accomplishment of other airport development, whether such development is to

be accomplished as part of the Federal-Aid Airport Program or not; (b) to prevent or limit the establishment of airport hazards; or (c) to permit proper use, operation, management, and maintenance of the airport as a public facility. The term "acquisition of land" as used in this section shall include the acquisition of land already developed as an airport and of all structures, fixtures, improvements, and equipment thereon of a type the construction, installation, or purchase of which would be eligible for inclusion in a construction project pursuant to the regulations of this part.

T. P. WRIGHT,  
Administrator.

[F. R. Doc. 46-18608; Filed, Oct. 16, 1946;  
8:53 a. m.]

#### FEDERAL POWER COMMISSION.

[Docket No. G-778]

CITIES SERVICE GAS CO.  
ORDER FIXING DATE OF HEARING

OCTOBER 11, 1946.

Upon consideration of the application filed on September 6, 1946, by the Cities Service Gas Company ("Applicant") pursuant to section 7 of the Natural Gas Act, as amended, for permission to construct and operate certain facilities subject to the jurisdiction of the Federal Power Commission as follows:

Approximately 2.84 miles of 18" pipeline and 9.41 miles of 16" pipeline from the junction of the discharge line of Applicant's Caney Compressor Station and Cotton Valley metering station, herein called "State Line Junction," located in the Northwest Quarter (NW ¼) of Southeast Quarter (SE ¼) of Section 15, Township 35 South, Range 14 East, thence in a northeasterly direction to Applicant's Graham Compressor Station located in Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of Section 27, Township 33 South, Range 15 East, all in Montgomery County, Kansas.

The Commission orders that:

(a) A public hearing be held commencing on October 22, 1946, at 10:00 A. M. (EST) in the Hearing Room of the Federal Power Commission, Hurley Wright Building, 1800 Pennsylvania Avenue, NW, Washington, D. C., respecting the matters involved and the issues presented in this proceeding: *Provided, however,* That no protest or petition to intervene has been filed or allowed prior to the date herein fixed for hearing, or if a protest or petition to intervene, in the judgment of the Commission, raises no issue of substance, the Commission may dispose of the application without contested hearing by order upon the application and evidence filed or available to the Commission and such additional evidence as the Commission may require to be filed for its consideration.

(b) Interested State Commissions may participate in the hearing as provided by the Commission's rules of practice and procedure.

Date of Issuance: October 11, 1946.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 46-18609; Filed, Oct. 16, 1946;  
8:53 a. m.]

#### INTERSTATE COMMERCE COMMISSION.

[S. O. 422, Permit 4]

#### CARS HELD AT ATLANTIC, GULF OR PACIFIC PORTS

Pursuant to the authority vested in me by paragraph (c) of the first ordering paragraph of Service Order No. 422 (11 F. R. 250), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 422 insofar as it applies to cars held at Atlantic, Gulf or Pacific Ports which arrived at said ports after 12:01 a. m., August 24, 1946.

This permit shall become effective at 11:59 p. m. October 10, 1946 and shall expire 11:59 p. m., October 31, 1946.

The waybill shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of October 1946.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 46-18656; Filed, Oct. 16, 1946;  
8:45 a. m.]

#### OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 7685]

JACOB SCHMID

In re: Bond owned by and debt owing to Jacob Schmid. F-28-23513-A-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Jacob Schmid, whose last known address is Grossalbfalterbach, Post Batzhausen, Oberpfalz, Bayern, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: a. One (1) 4%, Coney Island Theatre, Inc. First Mortgage Leasehold Bond, of \$500 face value, bearing the number D391, registered in the name of Jacob Schmid, Grossalbfalterbach, Post Batzhausen, Oberpfalz, Bayern, Germany, together with any and all rights thereunder and thereto, and

b. That certain debt or other obligation owing to Jacob Schmid, by Willy Schmid, 5811 Eighth Avenue, Brooklyn, New York, in the amount of \$130, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on ac-

count of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 19, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 46-18714; Filed, Oct. 16, 1946;  
9:00 a. m.]

[Vesting Order 7686]

JOSEPH SCHMID

In re: Bond owned by and debt owing to Joseph Schmid. F-28-23512-A-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Joseph Schmid, whose last known address is Angburger Strasse 8, Nuernberg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: a. One (1) 4%, Coney Island Theatre, Inc. First Mortgage Leasehold Bond, of \$1000 face value, bearing the number M15, registered in the name of Joseph Schmid, Angburger Strasse 8, Nuernberg, Germany, together with any and all rights thereunder and thereto, and

b. That certain debt or other obligation owing to Joseph Schmid, by William (Willy) Schmid, 5811 Eighth Avenue, Brooklyn, New York, in the amount of \$325.26, as of December 31, 1945, together with any and all accruals thereto,

and any and all rights to demand, enforce and collect the same.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 19, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 46-18715; Filed, Oct. 16, 1946;  
9:00 a. m.]

[Vesting Order 6865]

FANNY CRISTY VDA. DE HEPP

In re: Real property and bank account owned by Fanny Cristy Vda. de Hepp, also known as Dona Aniceta Francisca and as Dona Fanny Chisty y Mangual.

Under the authority of the Trading With the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Fanny Cristy Vda. de Hepp, also known as Dona Aniceta Francisca and as Dona Fanny Cristy y Mangual, whose last known address is Brodscrangen 27, Hamburg 11, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: a. Real property identified as the interest inherited from the Estate of Don Alfredo Cristy y Vanell, deceased, after partition, in and to real property located in the City of Mayaguez, Puerto Rico, particularly described in Exhibit A, attached hereto, and by reference made a

part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments, arising from the ownership of such property, and

b. That certain debt or other obligation owing to Fanny Cristy Vda. de Hepp, also known as Dona Aniceta Francisca and as Dona Fanny Cristy y Mangual, by the Credito y Ahorro Poncenio, Ponce, Puerto Rico, arising out of a savings account entitled Fanny Cristy Hepp, maintained at the Mayaguez Branch of the aforesaid bank located at Mayaguez, Puerto Rico, and any and all rights to demand, enforce and collect the same, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 2-b hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section

10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 1, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

EXHIBIT A

Item No.	Property No. as shown in Public Deed No. 46	Location	Area in square meters
1	210 lot	San Silvestre St.	158.70
2	213 lot	do	281.20
3	217 lot	do	109.02
4	227 lot	do	385.40
5	228 lot	do	63.00
7	229.2 lot	do	71.87
8	230 lot	do	202.58
9	238 lot	do	100.65
10	245 lot	do	146.00
11	246 lot	do	198.00
12	252 lot	Leon St.	175.98
13	257 lot	Delicia St.	129.11
14	259 lot	Isabel St.	63.61
15	268 lot	Desengaño St.	83.20
16	271 lot	do	154.37
17	282 lot	Delicias St.	87.50
18	288 lot	do	108.00
19	297-1 lot	do	79.43
20	307 lot	do	134.16
21	318 lot	do	110.50
22	321 lot	Contraste St.	129.00
23	325 lot	Contraste St. (Del)	88.45
24	330 lot	Contraste St.	63.25
25	338 lot	do	53.22
26	346 lot	León St.	124.32
27	352 lot	Roosevelt St.	132.50
28	357-2 lot	León St.	43.10
29	363 lot	do	154.00
30	365 lot	do	79.90
31	366-1 lot	San Vicente St.	150.00
32	370 lot	Muñoz Rivera St.	594.07
33	371 lot	San Vicente St.	231.24
34	376 lot	Estación St.	448.80
35	388 lot	Dr. Vadi St.	291.60
37	394 lot	Carmen St.	142.37
38	399 lot	Tablón St.	111.32
39	408 lot	Carmen St.	203.01
40	435 lot	Bayrón St.	242.76
41	Lot	Guanajibo County	1.21
43	do	do	273.00
44	House and lot	do	696.00
46	do	do	841.00
48	Lot	Miradero County	1,110.00
49	do	do	172.00
50	442 lot	San Juan St.	76.00
51	Lot	Cristy St.	1,200.00
52	59 lot	Sta. Ana St.	74.00
53	Pareel	Sabalos County	7.70
54	do	do	3.31
55	do	do	4.32
56	4 lot	León St.	117.30
57	11 lot	do	77.05
58	15 lot	Relampago St.	48.76
59	20 lot	Colombia St.	86.25
60	22 lot	Relampago St.	97.17
61	25 lot	Sta. Ana St.	89.10
62	29 lot	Colombia St.	71.17
63	35 lot	Sta. Ana St.	175.87
64	56 lot	Liberadt St.	93.77
65	67 lot	do	102.20
66	68 lot	León St.	85.56
67	77 lot	do	113.22
68	80 lot	Delicias St.	186.01
69	92 lot	Calle J. Rosario	66.00
70	101 Lot	Delicias St.	65.52
71	102 Lot	do	56.09
72	107 Lot	do	153.30
73	111 Lot	do	82.20
74	112 Lot	do	170.00
75	115 Lot	do	57.96
76	118 Lot	do	93.02
77	124 Lot	Roosevelt St.	182.31
78	138 Lot	Aguila St.	110.76
79	139 Lot	do	133.48
80	154 Lot	León St.	114.54
81	163 Lot	Roosevelt St.	55.20
82	164 Lot	do	52.80
83	170 Lot	León St.	32.50
84	172-2 Lot	Nenadich St.	84.10
85	173 Lot	León St.	115.12
86	174 Lot	do	171.25
87	175 Lot	do	70.70
88	186 Lot	do	94.50
89	188 Lot	do	112.00
90	193 Lot	do	162.00
91	198 Lot	San Silvestre St.	171.85

[F. R. Doc. 46-18703; Filed, Oct. 16, 1946;  
8:57 a. m.]

## FEDERAL REGISTER, Thursday, October 17, 1946

[Vesting Order 7346]

NOTTEBOHM AND CO.

In re: Bank accounts, stocks and bonds owned by Nottebohm & Co. F-28-2416-E-2, F-28-2416-E-3, F-28-2416-A-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Nottebohm & Co., the last known address of which is Hamburg, Germany, is a partnership, organized under the laws of Germany, and which has or, since the effective date of Executive Order No. 8389, as amended, has had its principal place of business in Germany, and is a national of a designated enemy country (Germany);

2. That the property described as follows: a. That certain debt or other obligation owing to Nottebohm & Co., by Guaranty Trust Company of New York, 140 Broadway, New York, New York, arising out of an unpresented foreign draft account, entitled Nottebohm & Co., and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation owing to Nottebohm & Co., by Bank of the Manhattan Company, 40 Wall Street, New York, New York, arising out of a checking account, entitled Nottebohm & Co., and any and all rights to demand, enforce and collect the same,

c. That certain debt or other obligation owing to Nottebohm & Co., by Bank of the Manhattan Company, 40 Wall Street, New York, New York, arising out of a Customers Securities Account, entitled Nottebohm & Co., Depot-B, and any and all rights to demand, enforce and collect the same.

d. Five Missouri Pacific R. R. Co., 1st & Ref. Mortgage, 5% Gold Bonds, Series G, of \$1000 face value each, bearing the numbers M16420 to M16424 inclusive, in Bearer form, and presently in the custody of Bank of the Manhattan Company, 140 Wall Street, New York, New York, together with any and all rights thereunder and thereto, and

e. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the name of L. D. Pickering & Co., beneficially owned by Nottebohm &

Co., and presently in the custody of Bank of the Manhattan Company, 40 Wall Street, New York, New York, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 31, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

## EXHIBIT A

Name and address of issuer	State of incorporation	Certificate numbers	Number of shares	Par value	Type of stock
Atlas Corporation, 1 Exchange Place, Jersey City, N.J.	Delaware	C034098 C034099 C034100 C21214 06201 6202 6204 2218 2219 2220 2221 2222 2223 2224 2225	40 70 90 100 10 10 10 100 100 100 100 100 100 100 100	\$5 5 5 5 10 20 70 100 100 100 100 100 100 100 100	Common. Do. Do. Do. Do. Do. Do. Do. Do. Do. Do. Do. Do. Do. Do. Do.
The Lehman Corp., 1-2 South William St., New York, N. Y.	New York	049729 049728 18463 0114045 13872 C21042 0488	25 50 13 46 75 100 88	1 1 10 10 10 10 1	Capital. Do. Do. Do. Do. Do. Do.
Manhattan Co. of New York, 40 Wall St., New York, N. Y.	do.				
New York Title & Mortgage Co., New York, N. Y.	do.				

<sup>1</sup> Option warrants to purchase.

[Vesting Order 7590]

JULIUS SCHAL AL.

In re: Debts owing to Julius Schaal and others.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation, finding:

1. That each person whose name is set forth in Exhibit A, attached hereto and by reference made a part hereof, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That each person whose name is set forth in Exhibit B, attached hereto and by reference made a part hereof, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

3. That the property described as follows: Those certain debts or other obligations owing to the persons listed in Exhibits A and B, by the Superintendent of Banks of the State of New York in Trust for the Depositors and Creditors of The Bank of United States, In Liquidation, 80 Spring Street, New York, New York, arising out of unclaimed liquidating dividends on accounts with The Bank of United States, which bore the respective account numbers or other designations appearing opposite the names of such persons in Exhibits A and B, together with any and all rights to demand, enforce and collect the same, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany or Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 5, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

## EXHIBIT A

Name	Account designation	APC file number
Julius Schaal.....	Commercial.....	F-28-12029-E-1
Umberto Ercolani.....	S-3499.....	F-28-872-E-1
Joseph Haupeltshofer and Josephine Haupeltshofer.....	S-43627.....	F-28-10022-E-1
Max Lange and Theresa Lange.....	S-12515.....	F-28-12921-E-2
Gertrude Langhammer, Margarethe Langhammer, Elizabeth Langhammer, Katerina Langhammer and George Langhammer.....	S-7012.....	F-28-12931-E-1
C. F. Conrad.....	Commercial.....	F-28-22328-E-1
Rose Lotter.....	S-8465.....	F-28-2230-E-2
Elsie Schmidt.....	S-5499.....	F-28-22405-E-1
Gertrude Schuster.....	S-5474.....	F-28-22410-E-1
F. E. W. Kohl.....	Commercial.....	F-28-24102-E-1
Kate Abbenseth.....	S-5234.....	F-28-24940-E-1
Eliz Albrecht and Carl Albrecht.....	S-28231.....	F-28-24941-E-1
Theresa Aumer.....	S-12230.....	F-28-24942-E-1
Meta Batt.....	S-12232.....	F-28-24943-E-1
Richard J. Bauch.....	S-9040.....	F-28-24944-E-1
Elizabeth Bauer.....	S-15174.....	F-28-24945-E-1
Mia Brandt.....	S-4431.....	F-28-24946-E-1
Henry Briel.....	S-1679.....	F-28-24947-E-1
Henry Buttner.....	S-9745.....	F-28-24948-E-1
Willy Croner.....	S-13507.....	F-28-24949-E-1
Otto Czerlinski and Frida Czerlinski.....	S-1347.....	F-28-24950-E-1
Betty Deckert.....	S. I. 2322.....	F-28-24951-E-1
Rudolph Dinnebier.....	Commercial.....	F-28-24952-E-1
Elfried Echterman.....	S-15214.....	F-28-24953-E-1
George Eberhard.....	S-7906.....	F-28-24954-E-1
Hansl Emrich.....	S-13333.....	F-28-24955-E-1
Alfred Engelbrecht.....	S-16823.....	F-28-24956-E-1
Peter Feindt and Martha Feindt.....	S-8323.....	F-28-24957-E-1
Antonie Fels.....	S-16114.....	F-28-24958-E-1
Agnes Feye and Robert Feye.....	S-12029.....	F-28-24959-E-1
Charlie Fischer.....	S-7468.....	F-28-24960-E-1
Henry Flieg.....	S-6145.....	F-28-24961-E-1
Hedwig Frizlem.....	S-5430.....	F-28-24962-E-1
Otto Fruchtenicht.....	S-15237.....	F-28-24963-E-1
William E. Fuhrmann.....	S-28322.....	F-28-24964-E-1
Wm. E. Fuhrmann.....	S-13557.....	F-28-24965-E-1
Otto Gawandka.....	S-8132.....	F-28-24966-E-1
Martha Galfer.....	S-52057.....	F-28-24967-E-1
Martha Gleisberg.....	S-7531.....	F-28-24967-E-1
Fanny Gluck.....	Commercial.....	F-28-24968-E-1
Theodor Grimm.....	S-83949.....	F-28-24969-E-1
Joseph Grosshauser.....	S-112101.....	F-28-24970-E-1
Elfriede Grunwald.....	S-6831.....	F-28-24971-E-1
Ernst Gunther.....	S-9610.....	F-28-24972-E-1
Ernest Hackmann.....	S-5086.....	F-28-24973-E-1
Mita Hammer.....	S-49090.....	F-28-24974-E-1
Hans Harlinghausen.....	S-11752.....	F-28-24975-E-1
Richard Hauck.....	S-12696.....	F-28-24976-E-1
Betty Helmer.....	S-10140.....	F-28-24977-E-1
Carola Hess.....	S-3944.....	F-28-24978-E-1
William Hiller.....	S-14921.....	F-28-24979-E-1
Anna Hoffman.....	S-36152.....	F-28-24980-E-1
Mathilde Huber.....	S-8085.....	F-28-24981-E-1
Emil Huelson.....	S-104931.....	F-28-24982-E-1
Margaret Jahn.....	S-6623.....	F-28-24983-E-1
Edward Kahn.....	S-3978.....	F-28-24984-E-1
Gertrude Kahn.....	S-6317.....	F-28-24985-E-1
Martha Kathner.....	S-6562.....	F-28-24986-E-1
Sophie Kessler.....	S-3078.....	F-28-24987-E-1
Mrs. Klapper.....	S-15896.....	F-28-24988-E-1
Kurt Klausnitzer and Gertrude Klausnitzer.....	S-5602.....	F-28-24989-E-1
C. Knauth.....	S-1058.....	F-28-24990-E-1
Fritz Koening.....	S-4921.....	F-28-24991-E-1
Johann Ludwig Kratz.....	S-13625.....	F-28-24992-E-1
Karl Kress.....	S-395.....	F-28-24993-E-1
Berta Kreitzer.....	S-22974.....	F-28-24995-E-1
Helen Kumpert.....	IM18436.....	F-28-24996-E-1
Katharina Kunz.....	S-10252.....	F-28-24997-E-1
Bertha Lang.....	(S-48212.....)	F-28-24998-E-1
Ernest Lang and Martha Lang.....	(S-13473.....)	F-28-25000-E-1
Oskar Lange.....	S-8622.....	F-28-25001-E-1
Theresa Lange.....	SI-17701.....	F-28-25002-E-1
Ehrich Leonhard.....	S-5068.....	F-28-25003-E-1
Willy Mahnert.....	S-41 M L 1559.....	F-28-25004-E-1
Karl Maier.....	S-41 M L 1560.....	F-28-25005-E-1

## EXHIBIT A—Continued

Name	Account designation	APC file number
Willy Malinert and Mary Malinert.....	{ S-27941..... S-21430.....	F-28-25006-E-1
Erwin Mangels.....	S-91322.....	F-28-25007-E-1
Louise Mangels.....	S-101979.....	F-28-25008-E-1
Lene Mann and Louise Mann.....	S-5073.....	F-28-25009-E-1
Ludwig Masch.....	S-24615.....	F-28-25010-E-1
Alfred Mauder.....	S-16259.....	F-28-25011-E-1
John Moehel.....	S-16157.....	F-28-25012-E-1
Clemens Moesbauer.....	S-2255.....	F-28-25013-E-1
Anna Moruzzi.....	S-6481.....	F-28-25014-E-1
Anna McNamara.....	S-51452.....	F-28-25015-E-1
William Muehlenhort and Erna Muehlenhort.....	S-8350.....	F-28-25016-E-1
Fred Reichert and Lina Reichert.....	S-23483.....	F-28-25017-E-1
Paul Olpp.....	S-7049.....	F-28-25018-E-1
G. Peiseler.....	Commercial.....	F-28-25019-E-1
Waldemar Phail.....	S-5350.....	F-28-25020-E-1
Erika Rachet.....	SI-2229.....	F-28-25021-E-1
Otto Reiser and Emma Reiser.....	S-83965.....	F-28-25022-E-1
George Renneberg.....	S-58605.....	F-28-25023-E-1
Erna Renz.....	S-35068.....	F-28-25024-E-1
Paul Rheinhold.....	S-8077.....	F-28-25025-E-1
Josef Ritz.....	S-28111.....	F-28-25026-E-1
Ludwig Rosenbohm and Erna Rosenbohm.....	S-8563.....	F-28-25027-E-1
Hilda Rosenthal.....	S-2376.....	F-28-25028-E-1
Wolfgang Roth and Hedwig Roth.....	S-12629.....	F-28-25029-E-1
Walter Saul.....	S-4217.....	F-28-25030-E-1
Wolfgang Schabacker.....	S-2880.....	F-28-25031-E-1
Therese Schacht.....	S-18120.....	F-28-25032-E-1
Anton Schieferle.....	S-43782.....	F-28-25033-E-1
Heinrich Schindewolf.....	S-86250.....	F-28-25034-E-1
Anton Schipper and Rosa Schipper.....	S-77856.....	F-28-25035-E-1
William Schlichter and Wilhelmina Schlichter.....	S-4151.....	F-28-25036-E-1
Norbert Schloss.....	S-7129.....	F-28-25037-E-1
Herbert Schlueter.....	S-1485.....	F-28-25038-E-1
Mitzi Schmarji and Walter Schmarji.....	S-2013.....	F-28-25039-E-1
Mitzi Schmarji and Dorothy Schmarji.....	S-3343.....	F-28-25040-E-1
G. Schneider.....	S-2998.....	F-28-25041-E-1
Emma Schoch.....	S-4950.....	F-28-25042-E-1
Leonhard Schubarth and Alma Schubarth.....	S-5098.....	F-28-25043-E-1
Lina Sternath.....	S-5204.....	F-28-25044-E-1
Susanne Strameli.....	S-51056.....	F-28-25045-E-1
Clariss Strausser.....	Commercial.....	F-28-25046-E-1
Emmy Terlinger.....	S-11160.....	F-28-25047-E-1
Emile Theurer.....	S-2839.....	F-28-25048-E-1
Mathilde Thode.....	S-11150.....	F-28-25049-E-1
John Tibke.....	S-10592.....	F-28-25050-E-1
Karl Timm.....	S-12779.....	F-28-25051-E-1
Alice Ullrich.....	S-4018.....	F-28-25052-E-1
Karl Vollgraf.....	S-6839.....	F-28-25053-E-1
Anneliese von Etzen.....	S-5178.....	F-28-25054-E-1
Henry von Etzen and Ella von Etzen.....	S-3682.....	F-28-25055-E-1
Harst Winkler.....	S-5923.....	F-28-25056-E-1
Erna Witt.....	S-13708.....	F-28-25057-E-1
Wanda Wittmaack.....	S-2046.....	F-28-25058-E-1
Ely Wolter.....	20-U55398.....	F-28-25059-E-1
Henry Wolter and Ely Wolter.....	S-5688.....	F-28-25060-E-1
Willie Zanker.....	S-14824.....	F-28-25061-E-1
Wanda Zeltman.....	S-43695.....	F-28-25062-E-1
Eugen Ziegler and Rose Ziegler.....	S-9728.....	F-28-25063-E-1
W. J. Witt and Anita Ziehl.....	S-6271.....	F-28-25064-E-1
Ernst Zimmerman.....	S-17632.....	F-28-25065-E-1
Hedwig Zimmes and Eugene Zimmes.....	SI-7516.....	F-28-25066-E-1

## EXHIBIT B

Tokio Usami.....	S-8977.....	F-39-5038-E-1
Blanche Poons.....	Commercial.....	F-39-5041-E-1
Sato Nakano.....	S-7754.....	F-39-5042-E-1
Ume Kurosaki.....	9708.....	F-39-5044-E-1
Ai Harada and Taichi Harada.....	S-7844.....	F-39-5045-E-1
O. Fujii.....	Commercial.....	F-39-5047-E-1
Waka Hamaoka.....	SI-3569.....	F-39-5064-E-1
Sato Nakano and Fumiko Nakano.....	S-2241.....	F-39-5095-E-1

[F. R. Doc. 46-18711; Filed, Oct. 16, 1946;  
8:59 a. m.]

## [Vesting Order 7082]

ALLIANZ LEBENSVERSICHERUNGS A. G.  
In re: Obligations owing to Allianz Lebensversicherungs A. G., formerly

known as Allianz und Stuttgarter Lebensversicherungsbank Aktiengesellschaft.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Allianz Lebensversicherungs A. G., formerly known as Allianz und Stuttgarter Lebensversicherungsbank Aktiengesellschaft, the last known address of which is Taubenstrasse 1-2, Berlin W. 8, Germany, is a corporation organized under the laws of Germany, and which has or, since the effective date of Executive Order No. 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows: Those certain obligations, matured or unmatured, owing to Allianz Lebensversicherungs A. G., formerly known as Allianz und Stuttgarter Lebensversicherungsbank Aktiengesellschaft, by the State of California, evidenced by one hundred State of California, First San Francisco Harbor Improvement, 4%, Bonds, due 1985, each of \$1000 face value, bearing the numbers 5906, 5907, 5908, 5909, 5910, 5931, 5945, 5946, 5947, 5948, 5949, 5950, 6402, 6403, 6406 through 6419 inclusive, 6425 through 6450 inclusive, 7463, 7464, 7465, 7466, 7467, 7468, 7475, 7687 through 7698 inclusive, 7705 through 7713 inclusive, 7730, 7731, 7735 through 7747 inclusive, 7999, 8000 and 8001, registered in the name of Allianz und Stuttgarter Lebensversicherungsbank Aktiengesellschaft, together with all accruals thereto, and any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds

## FEDERAL REGISTER, Thursday, October 17, 1946

thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 15, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 46-18704; Filed, Oct. 16, 1946;  
8:58 a. m.]

[Vesting Order 7462]

HEINRICH BELLER

In re: Real property, property insurance policies and claim owned by Heinrich Beller.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Heinrich Beller, whose last known address is Besse reg. bei Kassel, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: a. Real property situated in Woodlawn Heights, Borough of Bronx, City of New York, State of New York, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title and interest of Heinrich Beller, in and to the following property insurance policies, which insure the property described in subparagraph 2-a hereof:

Fire Insurance Policy No. 91-3978, issued by the New York Fire Insurance Company, New York, New York, in the amount of \$7,000, in the name of "James W. Brown, as Public Administrator and Administrator of the Estate of George Beller," which policy expires February 1, 1949,

Liability Insurance Policy No. R166080, issued by Standard Accident and Insurance Company of Detroit, Michigan, in the name of "James W. Brown, as Public Administrator of the Estate of George Beller," which policy expires November 14, 1946, and

c. All right, title, interest and claim of any name or nature whatsoever of Heinrich Beller, in and to any and all obliga-

tions, contingent or otherwise, and whether or not matured, owing to him by James W. Brown, Public Administrator of Bronx County, including but not limited to those sums arising by reason of rents collected from the real property described in subparagraph 2-a hereof, and any and all security rights in and to any and all collateral for any or all such obligations and the right to enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 2-b and 2-c hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 16, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

EXHIBIT A

All those certain lots, pieces or parcels of land, together with the buildings and improvements thereon erected lying and being in Woodlawn Heights, Borough of the Bronx, City of New York and more particularly described and bounded as follows:

Beginning at a point on the Westerly side of Martha Avenue formed by the intersec-

tion of the Westerly side of Martha Avenue with the Southerly side of East 239th Street; running thence Westerly along said Southerly side of East 239th Street 100 feet; thence Southerly parallel with the Westerly side of Martha Avenue twenty-eight and fourteen one hundredths (28 and 14/100) feet, thence Easterly parallel with the Southerly side of East 239th Street one hundred (100) feet to the Westerly side of Martha Avenue; thence Northerly along said Westerly side of Martha Avenue twenty-eight and fourteen one hundredths (28 and 14/100) feet to the point or place of beginning. Said premises being known as No. 4347 Martha Avenue.

[F. R. Doc. 46-18706; Filed, Oct. 16, 1946;  
8:58 a. m.]

[Vesting Order 7492]

DR. HELMUTH VON GLASENAPP

In re: Stock and Debentures owned by Dr. Helmuth von Glasenapp. F-28-22748-A-1.

Under the authority of the Trading With the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Dr. Helmuth von Glasenapp, whose last known address is Munzstrasse 4, Koenigsberg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: a. Forty (40) shares of \$1.00 par value capital stock of Hotel Waldorf-Astoria Corporation, 301 Park Avenue, New York, New York, a corporation organized under the laws of the State of New York, evidenced by a certificate numbered 01235, registered in the name of Hallgarten & Co., 44 Wall Street, New York 5, New York, and beneficially owned by Dr. Helmuth von Glasenapp, together with all declared and unpaid dividends thereon, and

b. Two (2) Hotel Waldorf-Astoria Corporation 5% Sinking Fund Income Debentures of \$1,000 face value each, bearing the numbers M-3168 and M-3169, registered in the name of Hallgarten & Co., 44 Wall Street, New York 5, New York, and beneficially owned by Dr. Helmuth von Glasenapp, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated,

sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 21, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 46-18707; Filed, Oct. 16, 1946;  
8:58 a. m.]

[Vesting Order 7498]

HENRIETTA EISERMANN

In re: Real property and claim owned by Henrietta Eisermann.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Henrietta Eisermann, whose last known address is Hamburg 20, Lehmgew 52, I, Deutschland (Germany), is a resident and national of a designated enemy country (Germany);

2. That the property described as follows: a. Real property situated in the Counties of Sonoma and San Mateo, State of California, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title, interest and claims of any name or nature whatsoever of Henrietta Eisermann in and to any and all obligations, contingent or otherwise and whether or not matured, owing to her by DeMeo and DeMeo, 301 Exchange Bank Building, Santa Rosa, California, including but not limited to those sums arising by reason of rents collected from the real property described in subparagraph 2-a hereof, and any and all security rights in and to any and all collateral for any or all such obligations and the right to enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 2-b hereof.

All such property so vested to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 4, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

EXHIBIT A

*Parcel 1:* All that certain real property situated in the County of Sonoma, State of California, described as follows:

Beginning at the Southwest corner of the Northwest quarter of Section 5, Township 7 North, Range 7 West; running thence North 89° 45' West, 1.66 chains to the Northeast corner of land conveyed by O. F. Leppo to James W. Avery, by deed recorded in Liber 217 of Deeds, page 445; running South 0° 15' West, along the Easterly line of said land, 23.13 chains to the Northwest line of Rancho Cabeza Grant line; thence North 66° East, 4.80 chains to the Southwest corner of land conveyed to Wm. H. Fisher, by deed recorded in Liber 262 of Deeds, page 407; running thence North along the Westerly line of Fisher's land 22.06 chains; thence South 76° 30' West, 2.85 chains to the West line of the

Northwest quarter, South 25/100ths chains to the place of beginning.

Containing approximately 10 acres.

*Parcel 2:* That certain lot, piece or parcel of land situate in the County of San Mateo, State of California, and described as follows: Lot 20, in Block 25 of Newbridge Park No. 2, in San Mateo County, State of California.

[F. R. Doc. 46-18708; Filed, Oct. 16, 1946;  
8:58 a. m.]

[Vesting Order 7499]

ELIZABETH KAUFMAN

In re: Real property, property insurance policies and claims owned by Elizabeth Kaufman, also known as Elizabeth Kaufmann, and Michael Kaufman, also known as Michel Kaufmann.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Elizabeth Kaufman, also known as Elizabeth Kaufmann, and Michael Kaufman, also known as Michel Kaufmann, whose last known addresses are Marxheim Amt Taunis, Hessen-Nassau, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: a. Real property, situated in the City of Linden, County of Union, State of New Jersey, particularly described in Exhibits A and B, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

b. All right, title and interest of Elizabeth Kaufman, also known as Elizabeth Kaufmann, and Michael Kaufman, also known as Michel Kaufmann, in and to the following insurance policies, which are in the possession of Frederick H. Meyer, 1325 Stadium Avenue, Bronx 61, New York:

Fire Insurance Policy No. D 18985, issued by the Great American Insurance Company of New York, in the amount of \$5,000, in the names of "Estate of Charles Kaltbeitzer and Henry Meyer, Executor", which policy insures the property described in Exhibit A hereof, and expires June 4, 1947.

Fire Insurance Policy No. G 57332, issued by the Orient Insurance Company, Hartford, Connecticut, in the amount of \$5,000, in the names of "Charles Kaltbeitzer and Henry Meyer, Executor", which policy insures the property described in Exhibit B hereof, and expires November 2, 1948.

Liability Insurance Policy No. SPL 847296 G, issued by the American Surety Company of New York, in the names of "Estate of Charles Kaltbeitzer and Henry Meyer, Executor", which policy insures the property described in Exhibits A and B hereof, and expires December 14, 1946.

c. All right, title, interest and claim of any name or nature whatsoever of Elizabeth Kaufman, also known as Elizabeth Kaufmann, and Michael Kaufman, also known as Michel Kaufmann, in and to any and all obligations, contingent or otherwise, and whether or

not matured, owing to them by Frederick H. Meyer, 1325 Stadium Avenue, Bronx 61, New York, including but not limited to those sums received by reason of rents collected from the real property described in subparagraph 2-a hereof, and any and all security rights in and to any and all collateral for any or all such obligations, and the right to enforce and collect the same, and

d. That certain debt or obligation of Broadway Savings Bank, 5 Park Place, New York, New York, arising out of blocked account No. 211406, entitled "Frederick H. Meyer", and any and all right to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

hereby vests in the Alien Property Custodian the property described in subparagraphs 2-b to 2-d hereof, inclusive,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 4, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

EXHIBIT A

ALL those certain tracts or parcels of land and premises hereinafter particularly de-

scribed, situate, lying and being in the Township of Linden, in the County of Union and State of New Jersey.

Known and designated on a certain map entitled "Map of Realty Estates of Linden, N. J., Map No. 4 of 338 lots situated at Linden, Union County, N. J." surveyed April 25th, 1911, by Jacob L. Bauer, Civil Engineer and Surveyor, Elizabeth, N. J., filed in the Union County Registers Office, Elizabeth, N. J., May 23, 1911, as Map No. 231 C as and by the lots numbers Eleven Hundred Sixteen (1116) and Eleven Hundred Seventeen (1117), in block number Thirty-four (34).

EXHIBIT B

All the following tract or parcel of land and premises hereinafter particularly described, situate, lying and being in the Township of Linden, in the County of Union and State of New Jersey.

*First tract:* Known and designated on a certain map entitled, "Map of Realty Estates of Linden, N. J., Map No. 4 of 338 lots situate at Linden, Union County, N. J., surveyed April 25, 1911, by J. L. Bauer, Civil Engineer and Surveyor, Elizabeth, N. J." and filed in the Union County Registers Office, Elizabeth, N. J., on May 23, 1911, as Map No. 231 C as and by the lot number eleven hundred and twenty-seven (1127) in block number thirty-four (34).

*Second tract:* Known and described on a certain map entitled, "Map of Realty Estates of Linden, N. J., Map No. 4 of 338 lots situate at Linden, Union County, N. J., surveyed April 25, 1911, by J. L. Bauer, Civil Engineer and Surveyor, Elizabeth, N. J." and filed in the Union County Registers Office, Elizabeth, N. J. on May 23, 1911, as Map No. 231 C as and by the lots numbers Eleven hundred and twenty-eight and Eleven hundred and twenty-nine (1128 and 1129) in block Number thirty-four (34).

[F. R. Doc. 46-18709; Filed, Oct. 16, 1946;  
8:58 a. m.]

[Vesting Order 7500]

Oswald Wilhelm Muendel

In re: Real property owned by Oswald Wilhelm Muendel, also known as Oswald Wilhelm Mundel, and Otto Muendel, also known as Otto Mundel.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Oswald Wilhelm Muendel, also known as Oswald Wilhelm Mundel, whose last known address is Alsenz, Saarpfalz, Germany, and Otto Muendel, also known as Otto Mundel, whose last known address is Niedermoschel, Saarpfalz, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: Real property particularly described as "Situated in the City of Cleveland, County of Cuyahoga and State of Ohio; and known as being Sub Lot No. 4 in Block No. 3 in A. Seymour's Subdivision of a part of original Ten Acre Lot No. 139, as shown by the recorded plat in Volume U of Deeds, Page 50 of Cuyahoga County Records, and being 50 feet front on the Northerly side of Lake Street, and extending back of equal

width 100 feet deep, as appears by said plat; be the same more or less, but subject to all legal highways," together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 2 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof, in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 4, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 46-18710; Filed, Oct. 16, 1946;  
8:59 a. m.]

[Vesting Order 7645]

Tetsunoshin Tanabe

In re: Estate of Tetsunoshin Tanabe, deceased. File D-39-18614; E. T. sec. 14990.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim

of any kind or character whatsoever of Katsumo Taguchi and Tsune Tanabe, and each of them, in and to the Estate of Tetsunoshin Tanabe, deceased, is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

*Nationals and last known address*

Katsumo Taguchi, Japan.  
Tsune Tanabe, Japan.

that such property is in the process of administration by Oliver W. Steadman, as Administrator C. T. A. of the Estate of Tetsunoshin Tanabe, acting under the judicial supervision of the District Court of the State of Wyoming, Fifth Judicial District;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on September 18, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*  
[F. R. Doc. 46-18713; Filed, Oct. 16, 1946;  
9:00 a. m.]

[Vesting Order 7635]

JOHANNA PIGOTT

In re: Estate of Johanna Pigott, deceased. File D-28-9882; E. T. sec. 13960.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Mrs. Alexandra von Rottkay, and her issue, names unknown, August Rost, and his issue, names unknown, Mrs. Josephine Schader, and her issue, names unknown, and each of them, in and to the estate of Johanna Pigott, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and last known address*

Mrs. Alexandra von Rottkay and her issue, names unknown, Germany.

August Rost and his issue, names unknown, Germany.

Mrs. Josephine Schader and her issue, names unknown, Germany.

That such property is in the process of administration by Elizabeth D. Mertz, as Executrix of the Estate of Johanna Pigott, deceased, acting under the judicial supervision of the Cumberland County Orphans' Court, Bridgeton, New Jersey;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or

in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 18, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*  
[F. R. Doc. 46-18712; Filed, Oct. 16, 1946;  
8:59 a. m.]

E. A. M. BIERING

**ORDER TO RETURN VESTED PROPERTY**

The Alien Property Custodian, having considered the claim set forth below and having filed with the Division of the Federal Register findings of fact and conclusions of law<sup>1</sup> with respect to such claim, which findings and conclusions are herein incorporated by reference:

*It is ordered, That the property set forth below be returned as follows:*

Number of order to return	Person to whom property is to be returned	Claim No.	Vesting order No.	Notice of intention to return published	Property to be returned
1.....	E. A. M. Biering, Danish Legation, Bucharest, Rumania.	1377	2392 (8 F. R. 14637)	11 F. R. 7011 (June 22, 1946).	\$67,066.55

Appropriate documents effectuating this order will issue.

Executed at Washington, D. C., July 26, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*  
[F. R. Doc. 46-18716; Filed, Oct. 16, 1946;  
9 a. m.]

**SECURITIES AND EXCHANGE COMMISSION.**

M. S. WIEN & Co.

**ORDER POSTPONING EFFECTIVE DATE OF REVOCATION OF REGISTRATION**

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of October A. D. 1946.

Proceedings having been instituted to determine whether or not the registration of M. S. Wien & Co., 26 Broad St., New York, N. Y., as broker and dealer should be revoked, pursuant to section 15 (b) of the Securities Exchange Act of 1934, and whether or not M. S. Wien & Co. should be suspended or expelled

from membership in the National Association of Securities Dealers, Inc., pursuant to section 15A of the said Act;

The Commission, after the holding of hearings on appropriate notice and the filing of findings and opinion, having on September 16, 1946, entered an order effective September 25, 1946, revoking the registration of M. S. Wien & Co. without prejudice to the right of M. S. Wien & Co. to reapply for registration after 30 days from said effective date if at the time of such reapplication Joseph J. Lann shall have withdrawn from M. S. Wien & Co. and shall have become disassociated from its business;

The Commission having by order dated September 20, 1946, postponed the effective date of the order revoking the registration of M. S. Wien & Co. to October 15, 1946, and extended the time within which M. S. Wien & Co. might file a petition for rehearing;

M. S. Wien & Co. having filed a petition for rehearing, counsel for the Trading and Exchange Division having filed an answer thereto, and M. S. Wien & Co. having requested leave to file a reply to said answer;

<sup>1</sup> Filed as part of original document.

It appearing that it is appropriate that said request be granted and that the effective date of the order revoking the registration of M. S. Wien & Co. be further postponed pending consideration of the petition for rehearing;

*It is ordered*, That the effective date of the order entered on September 16, 1946 revoking the registration of M. S. Wien & Co. be and the same hereby is postponed to November 1, 1946; and *It is further ordered*, That M. S. Wien & Co. be and it hereby is granted leave to file on or before October 17, 1946, a reply to the answer to its petition for rehearing which was filed by counsel for the Trading and Exchange Division.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 46-18604; Filed, Oct. 16, 1946;  
8:55 a. m.]

[File No. 54-130]

INTERSTATE POWER CO.

NOTICE OF FILING AND NOTICE OF AND ORDER  
RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 10th day of October A. D. 1946.

I

Notice is hereby given that Interstate Power Company ("Interstate"), a registered holding company and a subsidiary of Ogden Corporation ("Ogden"), also a registered holding company, has filed, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, an amended plan for the reorganization of Interstate. The principal respect in which the amended plan alters the plan as heretofore amended is that two alternative methods are proposed for financing certain cash requirements in connection with effectuation of the reorganization of Interstate.

On May 20, 1943, the Commission entered an order (1) directing, among other things, pursuant to section 11 (b) of the Act, that Interstate shall take such steps as may be necessary to recapitalize so as to distribute voting power fairly and equitably among its security holders, and (2) approving, pursuant to section 11 (e) of the act, a plan filed by Ogden and certain of its subsidiaries which provided, among other things, that Interstate would be recapitalized (Holding Company Act Release No. 4307).

Interstate is an electric and gas utility company, operating in Iowa, Minnesota and South Dakota. It is also a holding company owning all of the outstanding securities of Interstate Power Company of Wisconsin, an electric utility company operating in Wisconsin, and East Dubuque Electric Company, an electric utility company operating in Illinois.

The following tabulation shows the presently outstanding securities of Interstate and their ownership by Ogden and by others;

	Principal amount or shares outstanding	Owned by Ogden	Owned by others
1st mortgage 5 percent bonds, due 1957	\$26,035,500		\$26,035,500
6 percent debentures, due 1952	7,500,000	\$100	17,499,900
6 percent demand note	2,475,000	2,475,000	
\$7 cumulative preferred stock, no par value <sup>2</sup>	\$72,500	\$3,108	14,69,392
\$6 cumulative preferred stock, no par value <sup>2</sup>	\$47,500	\$9,461	14,38,039
Common stock, no par value	\$175,000	\$175,000	

<sup>1</sup> Includes \$272,000 principal amount owned by Atlas Corp., the owner of approximately 76 percent of Ogden's outstanding common stock.

<sup>2</sup> Rank equally; each entitled, in involuntary liquidation, to \$100 per share and accrued dividends; dividend arrears accumulated from Dec. 20, 1933, total \$6,979,817 or \$96.27 per share on the \$7 preferred, and \$3,919,700 or \$82.52 per share on the \$6 preferred, at July 31, 1946.

<sup>3</sup> Shares.

<sup>4</sup> Includes 2,340 shares owned by Atlas Corp.

<sup>5</sup> Includes 250 shares owned by Utilities Elkhorn Coal Co., a subsidiary of Ogden, and 156 shares owned by Atlas Corp.

The first mortgage bonds and debentures are currently redeemable at 102. All interest on the first mortgage bonds, debentures and demand note of Interstate has been paid regularly.

Questions have heretofore been raised concerning the rank and status of the securities of Interstate held by Ogden, and pursuant to an agreement dated June 20, 1941, all interest received by Ogden since that date on the demand note has been deposited by Ogden in escrow (hereinafter referred to as "Escrow No. 1") with Manufacturers Trust Company. The agreement provides that such funds shall be held intact until all questions of validity and rank of the demand notes shall have been passed upon by this Commission and any Court having jurisdiction. As at July 31, 1946, such escrowed funds (some of which are invested in U. S. Government securities) aggregated \$787,039. Prior to June 20, 1941, Ogden received payments of interest on the demand note aggregating \$222,750.

The filing herein states that Interstate is advised that it is the position of Ogden that the demand note and debenture held by Ogden rank equally with all other debentures of Interstate, that said demand note and debenture are entitled to receive the same treatment as that accorded to the other debentures, and that the shares of the preferred stocks of Interstate held by Ogden rank pari passu with all other shares of the preferred stocks of Interstate and are entitled to receive the same treatment as such other shares.

The filing further states that the amended plan herein has been proposed to permit consummation of the reorganization of Interstate prior to and independently of the determination of the said questions regarding the validity and rank of Interstate's securities held by Ogden and without the necessity of filing a further amendment to the plan based on future market conditions.

All interested persons are referred to said Amended Plan, which is on file in the office of the Commission, for a full

statement of the transactions therein proposed, which may be summarized as follows:

1. Interstate will have a capitalization consisting of \$19,400,000 (instead of \$20,000,000) principal amount of new first mortgage bonds and an authorized issue of 5,000,000 shares of new common stock of the par value of \$3.50 per share, of which 3,000,000 shares will be issued in connection with the plan proposed herein. Approximately \$1,000,000 net book amount of Interstate's property, for the sale of which Interstate is negotiating, will not be pledged under the proposed mortgage.

2. As of the effective date of the amended plan, the excess of the cost to Interstate of utility plant over the original cost thereof will be written off.

3. The new first mortgage bonds will be sold pursuant to competitive bidding.

4. The 3,000,000 shares of the new common stock shall be sold or distributed under one of the two following alternatives, to be selected at the time the said shares are sold:

(A) Alternative One:

(1) If in the judgment of the Board of Directors of Interstate an amount of \$18,610,500 can be raised in cash by the sale of not more than 2,700,000 shares of new common stock, then such number of the said 2,700,000 shares shall be sold pursuant to competitive bidding as may be necessary to raise \$18,610,500, this being an amount sufficient, when added to the principal amount (\$19,400,000) of the new bonds, for the following purposes and no others:

(a) Reimbursement of the treasury in the amount of \$2,000,000 for working capital and to discharge obligations for new construction completed or in progress prior to the effective date of the plan;

(b) Payment and discharge at the principal amount thereof (without premium) of the \$26,035,500 principal amount of presently outstanding first mortgage bonds;

(c) Payment and discharge at the principal amount thereof (without premium) of the \$7,500,000 principal amount of presently outstanding 6% debentures, including the \$100 debenture held by Ogden.

(d) Payment and discharge at the principal amount thereof of the \$2,475,000 6% Demand Note owned by Ogden;

(2) There shall also be sold to the successful bidder or bidders for the shares sold as above provided, at the same price per share, such number of shares of the 3,000,000 shares of new common stock which remain after satisfying the requirements of subsection 4 (A) (1) above as would be allocable to Ogden for its holdings of 12,569 shares of Interstate's preferred stocks, if such shares were compensated on a parity with the preferred shares held by others than Ogden.

(3) The entire balance of the 3,000,000 shares of new common stock remaining unsold after satisfying the requirements of subsections (1) and (2) immediately above shall be distributed pro rata to the holders of Interstate's preferred stocks other than Ogden. Such distribution shall be made on a basis

whereby there shall be distributed in exchange for each share of \$6 Preferred Stock 90% of the number of new common shares distributed in exchange for each share of \$7 Preferred Stock.

(4) Immediately following the sale of the shares of new common stock pursuant to subsections (1) and (2) immediately above, and upon execution by Ogden of a "Contingent Liability Agreement" described below, there shall be transferred to Ogden cash equal to the aggregate of the following:

(a) The principal amount of the \$100 Debenture owned by Ogden;

(b) The principal amount of the \$2,475,000 6% Demand Note owned by Ogden;

(c) The proceeds of sale of the shares of new common stock referred to in subsection 4 (A) (2) above.

(5) There shall be issued to holders of preferred stock other than Ogden registered certificates, (hereinafter called "certificates of contingent interest") transferable by assignment, evidencing their proportionate contingent interests in the funds in Escrow No. 1 hereinbefore referred to, and in the funds referred to in subsection 4 (A) (4) above for which Ogden shall have a contingent liability pursuant to said Contingent Liability Agreement. Such certificates of contingent interest shall be issued on a basis whereby each holder of one share of \$7 preferred stock shall be entitled to 10 units of contingent interest in said funds, and each holder of one share of \$6 preferred stock shall be entitled to 9 units of contingent interest in said funds.

(6) In connection with the provisions of subsection 4 (A) (4) above, a Contingent Liability Agreement, a proposed copy of which is attached as an exhibit to the amended plan, shall be executed, providing, among other things, that Ogden shall be entitled to direct and control the investment and reinvestment of all funds referred to in subsection 4 (A) (4). Ogden warrants and agrees that at all times it will maintain with a Custodian Account Agent named in the Contingent Liability Agreement, cash, government securities and/or listed securities of an aggregate value equal to at least 135% of the aggregate amount of the funds referred to in subsection 4 (A) (4) above. For the period of time during which Ogden has control of the funds as stated above, Ogden guarantees a return of 3% per annum compounded semi-annually upon such portion of the funds, if any, as is finally determined to be distributable to persons other than Ogden. The Contingent Liability Agreement also sets forth certain conditions under which the funds are to be forthwith converted into cash and placed in escrow. Upon final determination in accordance with subsection 5 below with respect to the rank and status of the securities of Interstate owned by Ogden, the funds referred to in subsection 4 (A) (4) plus the guaranteed return mentioned above shall be distributed to Ogden and/or among holders of the certificates of contingent interest. Funds, if any, remaining unclaimed at the end of six years after termination

of the Contingent Liability Agreement shall revert to Ogden free from all claims. Ogden shall be liable for and pay all expenses in connection with the issuance of certificates of contingent interest and all expenses in connection with carrying out of the Contingent Liability Agreement. The Contingent Liability Agreement will continue until final determination, in accordance with subsection 5 below, with respect to the rank and status of the securities of Interstate held by Ogden.

(7) Upon transfer to Ogden of the funds referred to in subsection 4 (A) (4), Interstate shall be released and discharged of all liability to Ogden and to the holders of the preferred stocks of Interstate, and thereafter Interstate shall have no responsibility with respect to said funds.

(8) The Board of Directors of Interstate shall be empowered to fix a record date of its stockholders for the distribution of the new common stock and for the termination of the right to effect transfers of the presently outstanding stock of Interstate. In lieu of fractional shares scrip certificates will be issued representing rights to such fractional shares (disregarding balances of less than 1/100 of a share) and exchangeable, when accompanied by other certificates in such amount as to represent in the aggregate one or more full shares of stock, for certificates for such full shares. The holders of outstanding preferred shares and of said scrip certificates will not be entitled to any rights as shareholders of the reorganized company until said preferred shares or scrip certificates are so exchanged. If not so exchanged, all unexchanged preferred shares and all scrip certificates outstanding will become void in eight years from the effective date of the Amended Plan, except that such expiration shall not affect the rights of preferred stockholders to funds, if any, to which they may be entitled under the operation of the Contingent Liability Agreement described in subsection 4 (A) (6) above.

#### (B) Alternative Two:

(1) If in the judgment of the Board of Directors of Interstate the sale of 2,700,000 shares of new common stock would not realize the sum of \$18,610,500 specified in subsection 4 (A) (1) above, then such number of the 3,000,000 shares of new common stock to be issued under the plan shall be sold pursuant to competitive bidding as may be necessary to raise \$8,635,500, being an amount sufficient, when added to the principal amount (\$19,400,000) of the new bonds, for the following purposes and no others:

(a) Reimbursement of the Treasury in the amount of \$2,000,000 for working capital and to discharge obligations for new construction completed or in progress prior to the effective date of the plan;

(b) Payment and discharge at the principal amount thereof (without premium) of the \$26,035,500 principal amount of presently outstanding first mortgage bonds.

(2) The entire balance of the 3,000,000 shares remaining unsold shall be deposited in escrow (hereinafter referred

to as "Escrow No. 2") with an Escrow Agent, subject to an Escrow Agreement which shall contain the following provisions, among others:

(a) The term of Escrow No. 2, subject to the provisions of subsections (f) and (g) immediately below, shall be until the date of final determination, in accordance with subsection 5 below, with respect to the rank and status of the securities of Interstate held by Ogden, and until such time thereafter as may be necessary to effect consummation of a plan for the disposition of the stock and/or cash in said Escrow No. 2.

(b) "Debenture Escrow Certificates", "Note Escrow Certificates", and "Preferred Escrow Certificates", all transferable by assignment, shall be issued to the holders of 6% Debentures, the 6% Demand Note, and the Preferred stocks, respectively, evidencing the rights of such security holders in the securities and/or cash held in Escrow No. 2 and the funds in Escrow No. 1. The Preferred Escrow Certificates shall make the same distinction between the \$7 Preferred and \$6 Preferred stocks as set forth in subsection 4 (A) (3) above;

(c) Dividends declared and paid on the shares of new common stock held in Escrow No. 2 shall be received by the Escrow Agent and held subject to further order of the Commission and, if necessary, of an appropriate court, except that on each January 1 and July 1 after the deposit of said shares in Escrow No. 2, the Escrow Agent, out of any cash available (after provision for payment of the reasonable expenses and compensation of the Escrow Agent), shall make payments to the registered holders of Debenture Escrow Certificates and Note Escrow Certificates at the rate of 6% per annum on the principal amount of the debentures and demand note with respect to which the certificates were issued, calculated from the effective date of the plan. In the event that funds available in Escrow No. 2 are not sufficient to make such payments at the full rate of 6% per annum, then pro rata payments in any multiple of one-eighth of one per cent shall be made to the extent funds are available, and any deficiency shall be made good out of funds subsequently available before any other payments are made to any escrow certificate holders. Any cash distributed to Ogden in accordance with the provisions of this subsection (c) with respect to Note Escrow Certificates shall immediately be deposited by Ogden in Escrow No. 1, to be held subject to the provisions of that escrow.

(d) Shares of common stock held in Escrow No. 2 shall be voted by the Escrow Agent in accordance with the provisions set forth in the Escrow Agreement whereby, in essence, the right to vote, through the Escrow Agent, shall be restricted to the holders of Debenture Escrow Certificates.

(e) At any time prior or subsequent to a final determination in accordance with subsection 5 below regarding the rank and status of the securities of Interstate now held by Ogden, any holder of any escrow certificate may file with the Commission a plan which may provide, subject to the provisions of subsections (f)

## FEDERAL REGISTER, Thursday, October 17, 1946

and (g) immediately below, for the sale of any or all of the shares of common stock and the distribution of the proceeds of such sale and of any other shares of common stock or cash remaining in Escrow No. 2.

(f) In the event that any plan approved pursuant to subsection (e) immediately above prior to a final determination in accordance with subsection 5 below, shall provide for the sale of all the common stock in Escrow No. 2, then, upon execution by Ogden of a Contingent Liability Agreement substantially as described in subsection 4 (A) (6) above, there shall be transferred to Ogden, to the extent available, cash equal to the aggregate of the following:

(i) The principal amount of the 6% Demand Note and the \$100 6% Debenture now owned by Ogden, with accrued and unpaid cash distributions provided for in subsection (c) immediately above, on the basis that such note and debenture rank on a parity with the publicly held 6% Debentures;

(ii) A proportionate amount of any cash distributed to the holders of \$7 and \$6 Preferred Stock on the basis that the shares of preferred stock now held by Ogden rank on a parity with all other outstanding shares of preferred stock.

(g) In the event that any plan approved pursuant to subsection (e) immediately above prior to a final determination in accordance with subsection 5 below provides for any distribution of shares of common stock to preferred escrow certificate holders, such plan must provide:

(i) That a sufficient number of shares of common stock then remaining in Escrow No. 2 shall be sold to raise cash, which when added to any cash then held in Escrow No. 2, will be sufficient to pay the holders of Debenture Escrow Certificates and Note Escrow Certificates the principal amount of the 6% Debentures and 6% Demand Note with respect to which such escrow certificates were issued, together in each case, with any accrued and unpaid cash distributions provided for in subsection (c) immediately above.

(ii) That there shall also be sold such number of shares which remain in Escrow No. 2 after satisfying the requirements of subsection (i) immediately above, as may be applicable to the 12,569 shares of preferred stock owned by Ogden, on the basis that such preferred stock held by Ogden ranks on a parity with all other outstanding shares of preferred stock.

(iii) The entire balance of the shares remaining in Escrow No. 2 after satisfying the requirements of subsections (i) and (ii) immediately above, shall be distributed pro rata to holders of preferred stock other than Ogden on a basis whereby there shall be distributed in exchange for each share of \$6 Preferred Stock 90% of the number of common shares distributed in exchange for each share of \$7 Preferred Stock.

(iv) Immediately following the sale of the shares of common stock pursuant to subsections (i) and (ii) immediately above, and upon execution of the Contingent Liability Agreement described in 4 (A) (6) above, there shall be trans-

ferred to Ogden cash equal to the aggregate of (1) the principal amount of the \$100 Debenture owned by Ogden; (2) the principal amount of the \$2,475,000 6% Demand Note owned by Ogden and (3) proceeds of the sale of the portion of common stock referred to in subsection (ii) immediately above.

(h) In event of approval of a plan pursuant to subsections (f) or (g) immediately above, there shall be issued to persons entitled to receive Preferred Escrow Certificates and/or Debenture Escrow Certificates, certificates of contingent interest evidencing their proportionate interests, if any, as they may appear, in the funds in Escrow No. 1 and in the funds for which Ogden shall have a contingent liability, pursuant to the provisions of subsections (f) and (g) immediately above and the Contingent Liability Agreement referred to in 4 (A) (6) above.

(i) Interstate will be empowered to fix a record date of its security holders for the purpose of the distribution of the escrow certificates and for the purpose of terminating the right to effect transfers of such securities on the books of Interstate. The Escrow Agent will be empowered to require holders of 6% Debentures, the 6% Demand Note and the preferred stocks to surrender such securities, duly endorsed, before such holders shall be entitled to receive escrow certificates pursuant to subsection 4 (B) (2) (b) above.

(j) All expenses of the Escrow Agent in connection with management of Escrow No. 2 and the final disposition of securities or cash therein shall be paid out of the assets of such escrow fund prior to any such disposition.

(k) Upon the deposit with the Escrow Agent of the shares of common stock pursuant to subsection 4 (B) (2) Interstate shall be released and discharged of all liability to the holders of 6% Debentures, the 6% Demand Note and the shares of Preferred Stock.

5. The Commission shall continue or institute such proceedings as may be necessary for a final disposition of the issues raised concerning the rank and status of the \$2,475,000 Demand Note and the \$100 Debenture owned by Ogden and the relative rights of Ogden with reference to the 12,569 shares of Interstate's preferred stocks held by Ogden. There shall not be deemed to be a final determination of such issues until an order of the Commission with respect to such issues has been approved by a court of competent jurisdiction in enforcement proceedings and until all appeals from such court order shall have been disposed of, or the time for an appeal from such court order has elapsed.

6. The present common stock of Interstate owned by Ogden shall be surrendered for cancellation upon the effective date of the plan.

The amended plan provides that upon the entry by the Commission of an order or orders approving it, subject to a reserved right to withdraw the amended plan in the event of a substantial change in market conditions, the Board of Directors of Interstate will request the Commission pursuant to section 11 (e) of the act to apply to a court of competent jurisdiction to enforce and carry out the terms of the amended plan.

## II

Public hearings having been held with respect to Interstate's Plan pursuant to this Commission's notice and orders herein dated October 3, 1945 and May 20, 1946, and having been continued subject to call; and

It appearing to the Commission that the hearing herein should be reconvened for the purpose of adducing further evidence and affording further opportunity to all interested persons to be heard:

*It is ordered*, That the hearing in this matter be reconvened on October 29, 1946, at 10:00 a. m., e. s. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On that date, the hearing room clerk in Room 318 will advise as to the room in which the hearing will be held.

*It is further ordered*, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing. The officer so designated to preside at the hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

*It is further ordered*, That without limiting the scope of the issues presented by the amended plan, particular attention will be directed at said hearing to the following questions, in addition to those specified in the Commission's notice and order herein dated October 3, 1945:

1. Whether the alternative procedures, designated Alternative One and Alternative Two, or either of them, proposed for effectuation of the amended plan are necessary to effectuate the provisions of section 11 (b) of the act and are fair and equitable to the persons affected thereby;

2. Whether the execution of the proposed Contingent Liability Agreement and the terms thereof adequately protect the interests of all persons affected thereby;

3. Whether the establishment of the proposed Escrow No. 2 and the terms of the Escrow Agreement in connection therewith adequately protect the interests of all persons affected thereby.

Notice is hereby given of said reconvened hearing to Interstate, to Ogden, to The Chase National Bank of the City of New York, Trustee of Interstate's First Mortgage 5% Bonds, to Chemical Bank & Trust Company of the City of New York, Trustee of Interstate's 6% Debentures, to Louis Haber and Samuel Plotkin of New York, to Roger W. Bennett of Springfield, Massachusetts, to Henry T. Matthews of Chicago, Illinois, to Richard W. Burgevin of Boston, Massachusetts, and to all interested persons, said notice to be given to Interstate, Ogden, The Chase National Bank of the City of New York and Chemical Bank & Trust Company of the City of New York, Louis Haber, Samuel Plotkin, Roger W. Bennett, Henry T. Matthews and Richard W. Burgevin by registered mail, and to all persons by a general release of this Commission which shall be distributed to the press and mailed to all persons on the mailing list for releases issued under the act and by publication in the FEDERAL REGISTER.

*It is further ordered,* That Interstate shall give additional notice of said reconvened hearing to all record holders of shares of its preferred stocks as of a date not more than 30 days prior to the date of said hearing and to all holders of Interstate's outstanding bonds and debentures whose identity is known to Interstate, by mailing to each of said persons a copy of this notice and order at his last known address at least fifteen days prior to the date of said hearing.

Any person desiring to be heard or otherwise wishing to participate in the proceedings should file with the Secretary of the Commission on or before October 25, 1946, his application therefor, as provided by Rule XVII of the Rules of Practice of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBois,  
Secretary.

[F. R. Doc. 46-18607; Filed, Oct. 16, 1946;  
8:53 a. m.]

[File No. 8-1]

LAWRENCE R. LEEBY & CO.

ORDER PERMITTING REGISTRATION TO BECOME  
EFFECTIVE, IMPOSING TERMS AND CONDI-  
TIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of October A. D. 1946.

Lawrence R. Leeby, doing business as Lawrence R. Leeby & Co., having applied under section 15 (b) of the Securities Exchange Act of 1934 for registration as a broker, proceedings having been instituted to determine whether it is in the public interest to deny registration, a hearing having been held and a trial examiner's report filed and the Commission having this day issued its findings and opinion herein, on the basis thereof: *It is ordered*, That the said registration be and it is hereby permitted to become effective: *Provided*, That the applicant shall act as broker in all dealings with members of the public in over-the-counter transactions.

*It is further provided*, That, subject to appropriate amendment of his application for registration, the applicant may effect transactions as dealer in investment company shares.

*It is further provided*, That, as long as the said registration shall remain in effect, applicant shall not deal with members of the public except as herein provided and shall not adopt any other type of dealing without having previously secured permission from the Commission.

The entry of this order shall not constitute a finding or determination by the Commission that it is in the public interest to permit the said registration to become effective except on the terms herein set forth, and in the event that said terms are not fully complied with at any time during the effectiveness of said registration, the said registration shall be subject to revocation upon a

finding that the terms have not been fully complied with.

By the Commission.

[SEAL] ORVAL L. DUBois,  
Secretary.

[F. R. Doc. 46-18606; Filed, Oct. 16, 1946;  
8:54 a. m.]

[File No. 70-1327]

AMERICAN POWER & LIGHT CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 10th day of October A. D. 1946.

Notice is hereby given that a declaration, and amendments thereto, have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by American Power & Light Company ("American"), a registered holding company and a subsidiary of Electric Bond and Share Company, also a registered holding company.

Notice is further given that any interested person may, not later than October 24, 1946 at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such declaration as filed or as amended may become effective or may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said declaration, as amended, which is on file in the office of this Commission, for a statement of the transactions therein proposed which are summarized as follows:

American proposes to sell a 6% past-due note, issued to American by its utility subsidiary, Pacific Power & Light Company, originally in the principal amount of \$3,194,500, upon which there is a balance due of \$1,794,500. American proposes to sell the note to The Union Trust Company of Pittsburgh for \$1,800,000 in cash and requests that the proposed sale be exempted, pursuant to sub-paragraph (a) (5) of Rule U-50, from the competitive bidding requirements of paragraphs (b) and (c) of said Rule U-50. American has designated section 12 (d) of the Public Utility Holding Company Act of 1935 and Rule U-44 thereunder as applicable to the proposed transactions.

American states that it desires to make the proposed sale to provide funds for use in connection with the merger of its utility subsidiary, Northwestern Electric Company, into Pacific Power & Light Company, as a step in the further integration and simplification of the Ameri-

can holding company system. In this connection, the declarant requests that the Commission make the findings necessary to permit American to avail itself of the relief provided under the provisions of Supplement R of the Internal Revenue Code, as amended.

American has further requested that its declaration not be permitted to become effective except pursuant to further order of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBois,  
Secretary.

[F. R. Doc. 46-18605; Filed, Oct. 16, 1946;  
8:54 a. m.]

SELECTIVE SERVICE SYSTEM.

[Operations Order 40-D]

SEPARATION BOARD FOR CONSCIENTIOUS  
OBJECTORS

APPOINTMENT OF OFFICERS

Under and by virtue of the authority vested in me by the Selective Training and Service Act of 1940, as amended, I hereby order:

1. The following officers are appointed to the Separation Board for Conscientious Objectors created by Operations Order No. 39, dated May 19, 1945 (10 F. R. 5980), as amended by Operations Order No. 39-A, dated March 4, 1946 (11 F. R. 2257):

Lt. Colonel John B. Cuno,  
Major James L. Montague,  
Major Neal M. Wherry,  
Captain Everett J. Lord,  
1st Lt. Luther E. Smith.

2. The Assistant Director, Camp Operations, is authorized to designate a recorder for said board.

3. Order Of The Director—Operations Order No. 40-A, dated March 5, 1946 (11 F. R. 2374), Order Of The Director—Operations Order No. 40-B, dated April 19, 1946 (11 F. R. 4524), and Order Of The Director—Operations Order No. 40-C, dated May 2, 1946 (11 F. R. 5018), are hereby rescinded.

LEWIS B. HERSHY,  
Director.

OCTOBER 11, 1946.

[F. R. Doc. 46-18701; Filed, Oct. 17, 1946;  
8:51 a. m.]

WAR ASSETS ADMINISTRATION.

NOTICE TO OWNING AGENCIES OF DIRECTIVE  
ISSUED BY THE ACTING HOUSING EXPEDI-  
TER-ADMINISTRATOR WITH RESPECT TO  
STRUCTURES AND IMPROVEMENTS RE-  
QUIRED FOR THE VETERANS' EMERGENCY  
HOUSING PROGRAM

The Acting Housing Expediter-Administrator has issued the following directive under date of September 26, 1946:

This will supplement my directive of September 18, 1946, with reference to the disposal of surplus structures and improvements by owning agencies. In order to expedite procurement and to channel excess materials into the Veterans' Emergency Housing Pro-

gram, all owning agencies as defined in the Surplus Property Act as amended are hereby authorized and directed, pursuant to the Veterans' Emergency Housing Act of 1946, to dispose of structures and improvements (including above-ground and subsurface utilities) which are mentioned in § 8305.7 (b) of Regulation 5 of the War Assets Administrator in the manner set forth herein, and accordingly the War Assets Administration shall issue such orders and adjust its procedures as may be necessary to give effect to this directive.

Such improvements which the owning agency determines are available for sale intact for removal by the purchaser shall be offered for sale after public notice, except where the owning agency finds that such method is impracticable. Offerings shall be made in such lots as the owning agency may determine. In making awards, priority shall be given to the highest responsible bidder submitting an acceptable bid who certifies as provided below, regardless of the fact that higher bids are received from bidders who do not so certify: *Provided*, That no bid shall be deemed acceptable which is less than the estimated salvage value of the improvements to be sold. If no bid is received from those entitled to priority hereunder, or if all such bids are unacceptable, the owning agency will dispose of the improvements without regard to such priority.

In the event this channeling to priority holders should result in diminished monetary returns to the Treasury, such a decrease is justified on the basis that critically needed materials and equipment will be made available for the Veterans' Emergency Housing Program.

Priority bidders shall submit with their bids a certificate in writing in substantially the following form:

The undersigned certifies to the War Department (or other appropriate Government Agency) and the Housing Expediter, subject to the criminal penalties of section 35 (a) of the U. S. Criminal Code that all the usable materials and improvements covered by this bid are required for and, if the bid is accepted, will be used (to the extent possible) in (1) the construction of housing accommodations, for which he has been previously authorized to use HH ratings under the Veterans' Emergency Housing Program, and to which the following project or serial number or numbers have been assigned: \_\_\_\_\_; or (2) the construction or maintenance of utilities (water, power, gas, sewerage) necessary to service housing accommodations for which priorities assistance has been assigned, prior to the date of this certificate, under the Veterans' Emergency Housing Program, and to which the following project or serial number or numbers have been assigned: \_\_\_\_\_. If it becomes impossible for me to use all of the usable materials and improvements as described above, I will publicly offer them for sale and will dispose of them only to a purchaser who gives me a certificate in substantially the same form as this one, except as otherwise authorized by the Housing Expediter.

Notwithstanding the provisions of § 8305.7 (b) of Regulation 5 of the War Assets Administrator, owning agencies may comply with the provisions of this directive.

Notice to all owning agencies of the Acting Housing Expediter-Administrator's directive referred to above is hereby given by publication in the FEDERAL REGISTER.

Issued October 10, 1946.

ROBERT M. LITTLEJOHN,  
Administrator.

[F. R. Doc. 46-18851; Filed, Oct. 16, 1946;  
11:44 a. m.]

distributive levels. This is in accord with the base date practice in effect for resellers to sell these items of extra or optional equipment without markup over acquisition cost.

[F. R. Doc. 46-18832; Filed, Oct. 16, 1946;  
11:18 a. m.]

#### OFFICE OF PRICE ADMINISTRATION.

[MPR 594, Amdt. 4 to Rev. Order 21]

GENERAL MOTORS CORP.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 6 of Maximum Price Regulation 594, *It is ordered*:

Revised Order 21 under Maximum Price Regulation 594 is amended in the following respects:

1. The schedule in paragraph (a) (3) (i) is amended by adding the following items of extra or optional equipment and applicable wholesale and list prices:

Description	Wholesale prices		
	Distributor	Key point dealer and associate dealer	List price
Battery, heavy duty, series 66 and 76.....	\$2.50	\$2.50	\$2.50
Battery, heavy duty, series 78 and 98.....	1.50	1.50	1.50
Generator, heavy duty, all series and body types.....	32.00	32.00	32.00
Right hand drive, series 76, 78 and 98 except convertible coupe.....	35.00	35.00	35.00
Right hand drive, series 66 except convertible coupe and station wagon.....	20.00	20.00	20.00
Roof support for police light or siren—all series and body types.....	12.50	12.50	12.50
Special paint one color, all series and body types.....	25.00	25.00	25.00
Special paint, two colors, all series and body types.....	35.00	35.00	35.00

This amendment shall become effective October 17, 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

#### Opinion Accompanying Amendment 4 to Revised Order 21 Under Maximum Price Regulation 594

The General Motors Corporation, Oldsmobile Division, in accordance with section 6 of Maximum Price Regulation 594, makes application to establish maximum prices for several items of extra or optional equipment. The maximum prices proposed by the applicant are the same as those it had in effect for these items when sold with the applicants 1942 model year Oldsmobile passenger automobiles. In such circumstances the maximum prices requested by the Company for its sales are in accordance with section 6 and are approved.

The same maximum prices established for Company sales are established for

[MPR 594, Amdt. 4 to Rev. Order 19]

GENERAL MOTORS CORP.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 8 and 9b of Maximum Price Regulation 594, *It is ordered*:

Revised Order 19 under Maximum Price Regulation 594 is amended in the following respect:

1. The schedule in paragraph (a) (3) (i) is amended by adding the following items of extra or optional equipment and applicable distributor, dealer and associate dealer, and list prices:

Description	Wholesale prices to—		
	Distributor	Dealer and associate dealer	List price
Electric clock.....	\$6.80	\$7.88	\$13.10
Visor vanity mirror.....	.47	.55	.90
Glove box light.....	.47	.55	.90
Luggage compartment light.....	.52	.60	1.00
Non-glare mirror.....	.76	.90	1.50
License plate frames.....	.95	1.10	1.80
Underhood and trouble light.....	2.65	3.07	5.10
Back-up light.....	3.10	3.60	6.10
Outside rear view mirror.....	2.05	2.40	4.00

This amendment shall become effective October 17, 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

#### Opinion Accompanying Amendment 4 to Revised Order 19 Under Maximum Price Regulation 594

The amendment which this opinion accompanies authorizes maximum prices for several miscellaneous items of extra or optional equipment sold with Pontiac passenger automobiles. These items are already listed in Revised Order 19 but are priced as a group designated as Group A. Due to shortages of certain items in the group, the Company is finding it increasingly difficult to ship Group A complete and therefore requests that maximum prices for each item in the group be authorized.

The basis upon which prices were authorized for Group A in Revised Order 19 applies equally to the individual items of the group. Therefore the opinions which accompany Revised Order 19 and amendments thereto are made a part of this opinion.

[F. R. Doc. 46-18833; Filed, Oct. 16, 1946;  
11:19 a. m.]

[Rev. SO 119, Order 347]

GEM PHONO MFG., INC.

## ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 12 of Revised Supplementary Order No. 119, it is ordered:

(a) *Adjustment of ceiling prices.* The ceiling prices to each class of purchaser established by Order No. 5168 under § 1499.158 of Maximum Price Regulation No. 188 for acoustic phonographs manufactured by Gem Phono Manufacturing, Inc., 33 West 46th Street, New York 19, N. Y., may be increased by 15 percent.

The ceiling prices as adjusted by this order shall apply only to acoustic phonographs which are delivered by Gem Phono Manufacturing, Inc. on or after the effective date of this order, to a purchaser for resale.

(b) *Relation of this order to Order No. 5168.* All the provisions of Order No. 5168 under § 1499.158 of Maximum Price Regulation No. 188 not expressly inconsistent with this order shall continue to apply to all sales and deliveries by all types of sellers of articles whose ceiling prices are adjusted by this order.

(c) All requests contained in the application for price adjustment filed by Gem Phono Manufacturing, Inc., and assigned OPA Docket No. 6069-SO119-130C, not specifically granted by this order are hereby denied.

(d) The provisions of Supplementary Order No. 153 shall have no application to any sale or delivery of any article subject to this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 17th day of October 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

## Opinion Accompanying Order 347 Under Revised Supplementary Order 119

The accompanying order is issued under Revised Supplementary Order No. 119 pursuant to an application filed by Gem Phono Manufacturing, Inc., 33 West 46th Street, New York 19, N. Y., hereinafter referred to as the applicant, for an adjustment of its ceiling prices for acoustic phonographs of its manufacture.

The applicant's and resellers' ceiling prices for this product have been established by Order No. 5168 under § 1499.158 of Maximum Price Regulation No. 188, for the applicant is a new manufacturer who did not produce this product during 1941. Phonographs are listed under Appendix A of Revised Supplementary Order No. 119 as a reconversion product. Section 12 of Revised Supplementary Order No. 119 provides that a manufacturer may obtain an adjustment in his ceiling prices for a reconversion product even though he did not make the product during 1941. However, the adjustment granted such a manufac-

turer shall be in line with the adjustments allowed under Revised Supplementary Order No. 119 to manufacturers who did manufacture the product during 1941.

Since the applicant did not manufacture acoustic phonographs in 1941, it is eligible to obtain an adjustment in its ceiling prices which will be in line with the adjustments obtained by other acoustic phonograph manufacturers under Revised Supplementary Order No. 119.

A review of the action taken on applications for adjustment filed under Revised Supplementary Order No. 119 by acoustic phonograph manufacturers other than the applicant discloses that manufacturers who account for more than 50% of the production of acoustic phonographs have obtained adjustments under Revised Supplementary Order No. 119. The increase factors granted such manufacturers range from 9 to 19.8 percent, and the weighted average increase factor is 14.7 percent. The weighting was on the basis of the ratio that each manufacturer's production bore to the combined production of all manufacturers of acoustic phonographs who had applied and were granted increase factors prior to this date.

Giving due consideration to the foregoing, and to changes since 1941 in basic wage rate schedules and material prices, changes since 1936-1939 in profit rates in the industry, and the relative position of the articles the applicant proposes to make with reference to whether they are relatively low-price and low-margin in the range of articles made by acoustic phonograph manufacturers, it is determined that a 15 percent increase in the applicant's ceiling prices is in line with the level of adjustments allowed other manufacturers under Revised Supplementary Order No. 119. Insofar as the applicant requested a greater increase, its application is denied by the accompanying order because such an adjustment would exceed the maximum adjustment allowable under the standards discussed above.

Purchasers for resale of the product which the manufacturer sells at adjusted prices are permitted to pass on to their customers the increase authorized for and which they pay to their supplier. This is in accord with the policy of this Office in cases where the ceiling prices of an individual manufacturer for a product of this type are adjusted.

[F. R. Doc. 46-18635; Filed, Oct. 16, 1946;  
8:46 a. m.]

[Rev. SO 119, Order 348]

RAY-DYNE MFG. CORP.

## ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 12 of Revised Supplementary Order No. 119, it is ordered:

(a) *Adjustment of ceiling prices.* The ceiling prices to each class of purchaser established by Order No. 5213 under § 1499.158 of Maximum Price Regulation

No. 188 for acoustic phonographs manufactured by the Ray-Dyne Mfg. Corp., 141 West Twenty-Fourth Street, New York 11, N. Y., may be increased by 15 percent.

The ceiling prices as adjusted by this order shall apply only to acoustic phonographs which are delivered by Ray-Dyne Mfg. Corp. on or after the effective date of this order, to a purchaser for resale.

(b) *Relation of this order to Order No. 5213.* All the provisions of Order No. 5213 under § 1499.158 of Maximum Price Regulation No. 188 not expressly inconsistent with this order shall continue to apply to all sales and deliveries by all types of sellers of articles whose ceiling prices are adjusted by this order.

(c) All requests contained in the application for price adjustment filed by the Ray-Dyne Mfg. Corp., and assigned OPA Docket No. 6069-SO119-133C, not specifically granted by this order are hereby denied.

(d) The provisions of Supplementary Order No. 153 shall have no application to any sale or delivery of any article subject to this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 17th day of October 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

## Opinion Accompanying Order 348 Under Revised Supplementary Order 119

The accompanying order is issued under Revised Supplementary Order No. 119 pursuant to an application filed by the Ray-Dyne Mfg. Corp., 141 West Twenty-Fourth Street, New York 11, N. Y., hereinafter referred to as the applicant, for an adjustment of its ceiling prices for acoustic phonographs of its manufacture.

The applicant's and resellers' ceiling prices for this product have been established by Order No. 5213 under § 1499.158 of Maximum Price Regulation No. 188, for the applicant is a new manufacturer who did not produce this product during 1941. Phonographs are listed under Appendix A of Revised Supplementary Order No. 119 as a reconversion product. Section 12 of Revised Supplementary Order No. 119 provides that a manufacturer may obtain an adjustment in his ceiling prices for a reconversion product even though he did not make the product during 1941. However, the adjustment granted such a manufacturer shall be in line with the adjustments allowed under Revised Supplementary Order No. 119 to manufacturers who did manufacture the product during 1941.

Since the applicant did not manufacture acoustic phonographs in 1941, it is eligible to obtain an adjustment in its ceiling prices which will be in line with the adjustments obtained by other acoustic phonograph manufacturers under Revised Supplementary Order No. 119.

A review of the action taken on applications for adjustment filed under

## FEDERAL REGISTER, Thursday, October 17, 1946

Revised Supplementary Order No. 119 by acoustic phonograph manufacturers other than the applicant discloses that manufacturers who account for more than 50% of the production of acoustic phonographs have obtained adjustments under Revised Supplementary Order No. 119. The increase factors granted such manufacturers range from 9 to 19.8 percent, and the weighted average increase factor is 14.7 percent. The weighting was on the basis of the ratio that each manufacturer's production bore to the combined production of all manufacturers of acoustic phonographs who had applied and were granted increase factors prior to this date.

Giving due consideration to the foregoing, and to changes since 1941 in basic wage rate schedules and material prices, changes since 1936-1939 in profit rates in the industry, and the relative position of the articles the applicant proposes to make with reference to whether they are relatively low-price and low-margin in the range of articles made by acoustic phonograph manufacturers, it is determined that a 15 percent increase in the applicant's ceiling prices is in line with the level of adjustments allowed other manufacturers under Revised Supplementary Order No. 119. Insofar as the applicant requested a greater increase, its application is denied by the accompanying order because such an adjustment would exceed the maximum adjustment allowable under the standards discussed above.

Purchasers for resale of the product which the manufacturer sells at adjusted prices are permitted to pass on to their customers the increase authorized for and which they pay to their supplier. This is in accord with the policy of this Office in cases where the ceiling prices of an individual manufacturer for a product of this type are adjusted.

[F. R. Doc. 46-18636; Filed, Oct. 16, 1946; 8:46 a. m.]

[MPR 188, Revocation of Order 4781]

GENERAL MILLS, INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

That Order No. 4781 under § 1499.158 of Maximum Price Regulation No. 188 be and it is hereby revoked subject to Supplementary Order No. 40.

This revocation order shall become effective on the 17th day of October 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Opinion Accompanying Revocation of Order 4781 Under § 1499.158 of Maximum Price Regulation 188*

On December 17, 1945, Order No. 4781 under § 1499.158 of Maximum Price Regulation No. 188 was issued establishing maximum prices for sales of electric

irons manufactured by General Mills, Incorporated, 1620 Central Avenue, Minneapolis 13, Minnesota.

Since the issuance of that order, the Office of Price Administration has issued Order 6 under § 1499.159e of Maximum Price Regulation No. 188 setting forth the methods whereby manufacturers determine their maximum prices.

The manufacturer requested the specifications of the article and terms established for sales of the article be corrected to reflect accurate detail of his electric iron and customary terms allowed other manufacturers within the industry. Accordingly, the Office of Price Administration is revoking Order No. 4781 and simultaneously issuing a Letter Order establishing proper ceiling prices for the article in question.

[F. R. Doc. 46-18638; Filed, Oct. 16, 1946; 8:47 a. m.]

[MPR 188, Amdt. 1 to Order 5092]

MAC RAY LAMP & NOVELTY CO. INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:* That Order No. 5092 under Maximum Price Regulation be amended in the following respect:

In paragraph (a) (1) the maximum prices for sales of Model Nos. 505 and 510 are changed as follows:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Hand decorated china table lamp, royal Worcester trim, mounted on gold finish metal base and with stretched rayon ruching top trim shade.	505	Each \$19.34	Each \$22.75	Each \$40.95
Hand decorated floral design on applied antique ivory ground with raised gold and raised enamel alt mounted on handmade base, as well as stretched rayon shade trimmed with broad ribbon.	510	26.14	30.75	55.35

This amendment may be revoked or amended by the Price Administrator at any time.

This amendment shall become effective immediately.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Opinion Accompanying MPR 188, Amendment 1 to Order 5092*

Order No. 5092 under § 1499.158 of Maximum Price Regulation No. 188 was issued on May 28, 1946. It established maximum prices for sales by Mac Ray Lamp & Novelty Co., Inc., 1465 Third Avenue, New York 28, New York, of two lamps of its manufacture.

Since the applicant had not previously manufactured an article the maximum price of which could have been used as a basis for pricing the articles described in the application under one of the first three pricing methods of Maximum Price Regulation No. 188, the application was considered under the Fourth Pricing Method, § 1499.158, which requires that prices be set in line with the level of maximum prices established by Maximum Price Regulation No. 188.

As to Model Nos. 505 and 510, applicant has requested revision of the maximum prices so established. The specifications for this model have been compared by this Office with those of additional comparable articles which have been called to the attention of this Office, and for which maximum prices have been properly established under the Regulation. The maximum prices established by this amendment for sales of Model Nos. 505 and 510 are in line with the maximum prices of those more comparable articles, and are therefore in line with the level of maximum prices established under Maximum Price Regulation No. 188.

[F. R. Doc. 46-18639; Filed, Oct. 16, 1946; 8:47 a. m.]

[MPR 188, Amdt. 1 to Order 5103]

DORIC LAMP MFG. CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:* That Order No. 5103 under Maximum Price Regulation be amended in the following respect:

In paragraph (a) (1) the maximum prices for sales of Model Nos. 503, 601, are changed as follows:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Polished brass.....	503	Each \$12.75	Each \$15.00	Each \$27.00
Junior floor lamp with diffuser and parchment shade.				
Polished brass table lamp with diffuser and aluminum shade.....	601	10.20	12.00	21.60

This amendment may be revoked or amended by the Price Administrator at any time.

This amendment shall become effective immediately.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Opinion Accompanying MPR 188—Amendment 1 to Order 5103*

Order No. 5103 under § 1499.158 of Maximum Price Regulation No. 188 was issued on June 11, 1946. It established maximum prices for sales by The Doric

Lamp Manufacturing Company, Inc., 470 Center Street, Meriden, Conn., of two lamps of its manufacture.

Since the applicant had not previously manufactured an article the maximum price of which could have been used as a basis for pricing the articles described in the application under one of the first three pricing methods of Maximum Price Regulation No. 188, the application was considered under the Fourth Pricing Method, § 1499.158, which requires that prices be set in line with the level of maximum prices established by Maximum Price Regulation No. 188.

As to Model Nos. 503 and 601, applicant has requested revision of the maximum prices so established. The specifications for this model have been compared by this Office with those of additional comparable articles which have been called to the attention of this Office, and for which maximum prices have been properly established under the Regulation. The maximum prices established by this amendment for sales of Model Nos. 503 and 601 are in line with the maximum prices of those more comparable articles, and are therefore in line with the level of maximum prices established under Maximum Price Regulation No. 188.

[F. R. Doc. 46-18640; Filed, Oct. 16, 1946; 8:48 a. m.]

[MPR 188, Amdt. 1 to Order 5150]

MICHAELIAN & KOHLBERG, INC.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered*, That Order No. 5150 under Maximum Price Regulation be amended in the following respect:

In paragraph (a) (1) the maximum prices for sales of Model No. 5150 are changed as follows:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumer
		Jobber	Retailer	
Glass cylinder table lamp with silver plated metal fittings and mounting. (Hand painted birds & flowers on water color paper placed on inside of cylinder. Paper parchment shade.)	5001	Each \$21.25	Each \$25.00	Each \$45.00

This amendment may be revoked or amended by the Price Administrator at any time.

This amendment shall become effective immediately.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

Opinion Accompanying Amendment 1 to Order 5150 Under Maximum Price Regulation 188

Order No. 5150 under § 1499.158 of Maximum Price Regulation No. 188 was

issued on June 11 and 26, 1946. It established maximum prices for sales by Michaelian & Kohlberg, Inc., 295 Fifth Avenue, New York 16, New York, of one lamp of its manufacture.

Since the applicant had not previously manufactured an article the maximum price of which could have been used as a basis for pricing the articles described in the application under one of the first three pricing methods of Maximum Price Regulation No. 188, the application was considered under the Fourth Pricing Method, § 1499.158, which requires that prices be set in line with the level of maximum prices established by Maximum Price Regulation No. 188.

As to Model No. 5001, applicant has requested revision of the maximum prices so established. The specifications for this model have been compared by this Office with those of additional comparable articles which have been called to the attention of this Office, and for which maximum prices have been properly established under the Regulation.

The maximum prices established by this amendment for sales of Model No. 5001 are in line with the maximum prices of those more comparable articles, and are therefore in line with the level of maximum prices established under Maximum Price Regulation No. 188.

[F. R. Doc. 46-18637; Filed, Oct. 16, 1946; 8:47 a. m.]

der § 1499.158 of Maximum Price Regulation No. 188. This amendment is issued to correct a typographical error in one of the prices established by that order.

The reasons for the establishment of this price are the same as the reasons contained in the opinion accompanying the issuance of the original order and are therefore incorporated herein by reference.

[F. R. Doc. 46-18641; Filed, Oct. 16, 1946; 8:48 a. m.]

[MPR 188, Amdt. 1 to Order 5171]

GERINGER SALES CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered*, That Order No. 5171 under § 1499.158 of Maximum Price Regulation No. 188 be amended in the following respects:

1. Paragraph (a) (1) is amended to read as follows:

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by manufacturer to—		For sale by any person to consumers
		Jobbers	Retailers	
Pottery table lamps with braid and ruching trimmed rayon shades.	1001, 2, 3, 4, 5, 6, 7, 8, 9, 11, 13, 11, 12, 13.	Each \$9.22	Each \$10.85	Each \$19.55

These maximum prices are for the articles described in the manufacturer's application dated August 8, 1946.

This amendment may be revoked or amended by the Price Administrator at any time.

This amendment shall become effective on the 17th day of October 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

Opinion Accompanying Amendment 1 to Order 5154 Under Maximum Price Regulation No. 188

By application dated August 5, 1946, Gibraltar Manufacturing Company, Incorporated, 403 Communipaw Avenue, Jersey City 4, New Jersey, requested the Office of Price Administration to establish maximum prices for sales of lamps which it manufactures. These prices were established by Order No. 5154 un-

[F. R. Doc. 46-18642; Filed, Oct. 16, 1946; 8:49 a. m.]

## FEDERAL REGISTER, Thursday, October 17, 1946

[MPR 64, Order 331]

JOHNSON-CLAFLIN CORP.

## APPROVAL OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 11 of Maximum Price Regulation No. 64, *It is ordered:*

(a) This order establishes ceiling prices for sales at retail of the one model of gas combination range listed below manufactured by the Johnson-Claflin Corporation, 293 Lincoln Street, Marlboro, Massachusetts. For sales in each zone by retail dealers to ultimate consumers, the ceiling prices, including the Federal excise tax, but not including any state or local taxes imposed at the point of sale are those set forth below:

Model	Article	Ceiling prices for sales to ultimate consumer			
		Zone 1	Zone 2	Zone 3	Zone 4
NEM 10.	Combination.	\$310.75	\$314.75	\$319.00	\$325.25

These prices include delivery and installation. If the retail dealer does not provide installation, he shall compute his ceiling price by deducting \$9.00 from the ceiling price shown above for his sales on an installed basis. In all other respects these prices are subject to each seller's customary terms, discounts, allowances (other than trade-in allowances) and other price differentials in effect on sales of similar articles.

(b) The manufacturer shall, before delivering any range covered by this order, after the effective date thereof, attach securely to the inside oven door panel a label which plainly states the applicable OPA retail maximum prices established by this order for sales of the range to ultimate consumers in each zone together with a list of the states included in each zone. The label shall also state that the retail prices shown thereon include the Federal excise tax, delivery and installation, and that if the seller does not provide installation, the maximum price is \$9.00 less than the price shown on the label.

(c) For purposes of this order Zones 1, 2, 3, and 4 comprise the following states:

*Zone 1:* Massachusetts, Connecticut, and Rhode Island.

*Zone 2:* Maine, New Hampshire, Vermont, New York, New Jersey, Pennsylvania, Delaware, Maryland, West Virginia, Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Mississippi, Alabama, Georgia, Florida, Michigan, Illinois, Indiana, Ohio, and the District of Columbia.

*Zone 3:* Wisconsin, Minnesota, Iowa, Missouri, Arkansas, Louisiana, North Dakota, South Dakota, Nebraska, Kansas, and Oklahoma.

*Zone 4:* Texas, New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Arizona, Nevada, Washington, Oregon, and California.

(d) The ceiling prices established by this order supersede those established for the same ranges by Order No. 305 under Maximum Price Regulation No. 64. All the provisions of Maximum Price Regulation No. 64 continue to apply to sales

of articles covered by this order, except to the extent that they are modified by this order. The ceiling prices established by this order have been determined in accordance with section 11b of that regulation and may not, therefore, be increased under that section.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 17th day of October 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

Opinion Accompanying Order 331 Under  
Maximum Price Regulation 64

Section 11b (c) of Maximum Price Regulation No. 64 required manufacturers of stoves subject to preticketing by the manufacturer having retail ceiling prices fixed prior to August 19, 1946, to recompute those ceiling prices so as to insure the return to retailers of a percentage markup over their current invoice cost equal to the average percentage markup which they received on sales of the same or similar stoves on March 31, 1946. To achieve this result the manufacturer was required to determine a markup factor for each stove applicable to his current ceiling prices to distributors or, if he did not sell to distributors, to his largest class of purchasers by dividing his March 31, 1946 ceiling price to that class by his March 31, 1946 retail ceiling price for his most comparable stove in Zone 1.

The Johnson-Claflin Corporation, Marlboro, Massachusetts, hereinafter referred to as the applicant, did not have ceiling prices and resale ceiling prices established under Maximum Price Regulation No. 64 on March 31, 1946 for the combination range it is now offering for sale. The resale ceiling prices so established were not fixed until after March 31, 1946. Hence the applicant had no models in his line on March 31, 1946 which he could use to determine a markup factor to be applied to his current ceiling prices for sales to his largest buying class of purchaser to enable him to recompute the retail ceiling prices of his ranges in accordance with section 11b (c) of Maximum Price Regulation No. 64. It is, therefore, necessary to issue an order establishing new retail ceiling prices for each stove now in his line under section 11 of Maximum Price Regulation No. 64 which provides that orders may be issued establishing retail ceiling prices whenever a manufacturer's ceiling prices have been determined under the regulation.

The retail ceiling prices established by the accompanying order were determined by dividing the retail ceiling price in Zone 1 which would have been established under Maximum Price Regulation No. 64 for the same stove on March 31, 1946 by the applicant's ceiling price to his largest buying class of purchaser as it would have been set under the same regulation on the same date, and applying the resulting markup factor to the applicant's current ceiling price under Maximum Price Regulation No. 64 to the same class of purchaser. The re-

sulting ceiling prices return to the retailers a percentage markup equal to the average percentage markup they would have received on March 31, 1946 in connection with sales of the same stove. The retail ceiling prices established are, therefore, in accordance with the requirements of section 2 (t) of the Emergency Price Control Act of 1942, as amended and in line with the level of ceiling prices fixed under Maximum Price Regulation No. 64.

The accompanying order requires compliance with the notification, preticketing, terms-of-sale and other general provisions of Maximum Price Regulation No. 64.

[F. R. Doc. 46-18668; Filed, Oct. 16, 1946;  
8:46 a. m.]

[MPR 599, Amdt. 1 to Rev. Order 4]

MAGNAVOX CO.

## APPROVAL OF RETAIL CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 21 of Maximum Price Regulation No. 599, *It is ordered*, That Revised Order No. 4 under section 21 of Maximum Price Regulation 599 be amended to read as follows:

(a) *Manufacturer's ceiling prices.* (1) The provisions of MPR No. 599 or any order issued thereunder other than this order to the contrary notwithstanding, on and after October 17, 1946, the Magnavox Company of Fort Wayne 4, Indiana, may sell and deliver to any dealer radios of its many manufacture of the model number and description set forth below at prices not in excess of those set forth below as applicable to such sales:

Model No.	Description	Ceiling price to dealer whose place of business is located in—	
		Zone I	Zone II
155B	Regency: Mahogany and walnut..... Blonde.....	Each \$213.50 221.35	Each \$221.35 229.00
142B	Belvedere: Mahogany and walnut..... Blonde.....	202.00 209.90	208.25 216.00
154B	Modern symphony.....	173.75	182.25
151B	Georgian: Mahogany and walnut.....	155.55	161.65
148B	Contemporary: Mahogany and walnut..... Blonde.....	150.00 152.80	155.55 158.35
132B	Chairside: Mahogany, walnut or blonde.....	128.35	131.40
138D	Duette: Leatherette covered.....	111.11	113.89
138B	Hoppelwhite Librarian: Mahogany.....	187.50	193.75
CR189	FW tuner, 8 tubes, 2 bands, AC.....	46.04	46.04

(2) All ceiling prices established by this paragraph include transportation charges, including the tax on transportation charges for delivery to the purchasers place of business, but they do not include Federal excise taxes other than those imposed on transportation charges. In all other respects they are subject to the provisions of section 15 of MPR No. 599.

(b) *Retail ceiling prices.* (1) The provisions of MPR No. 599 or any order is-

sued thereunder other than this order to the contrary notwithstanding, on and after October 17, 1946, the retail ceiling prices for sales by all sellers of the radios manufactured by the Magnavox Company of Fort Wayne 4, Indiana, which are listed below, are the prices set forth below as applicable to such sales:

Model No.	Description	Ceiling price for a retail sale at a place of business located in—	
		Zone I	Zone II
155B	Regency: Mahogany and walnut Blonde.....	Each \$427.00 442.75	Each \$442.75 458.00
142B	Belvedere: Mahogany and walnut Blonde.....	404.00 419.75	416.50 432.00
154B	Modern symphony.....	347.50	364.50
151B	Georgian: Mahogany and walnut.....	280.00	291.00
148B	Contemporary: Mahogany and walnut Blonde.....	270.00 275.00	280.00 285.00
132B	Chairside: Mahogany, walnut or blonde.....	231.00	236.50
138B	Buette: Leatherette covered.....	200.00	205.00
153B	Heppelwhite librarian: Mahogany.....	375.00	387.50
CR189	FM tuner, 8 tubes, 2 bands, AC.....	82.90	82.90

(2) All retail ceiling prices established by this paragraph include all Federal excise taxes. In all other respects they are subject to the provisions of section 15 of MPR No. 599.

(c) *Special rules affecting FM tuners subject to this order.* (1) Any seller may sell any of the radios subject to this order with an FM tuner installed in such a radio, in which case the ceiling price to a purchaser of any class for the radio with an installed FM tuner shall be the sum of the ceiling prices established by this order for a sale to that class of purchaser of such a radio without an installed FM tuner and an installed FM tuner. No additional charge may be made for the installation.

(d) *Retail price tags.* On and after the effective date of this order the manufacturer may not deliver to a purchaser for resale any article for which the retail ceiling price is fixed by this order, unless there is attached to it a retail price tag or label stating the manufacturer's name or brand name, the model number a designation and the retail ceiling price fixed by this order for retail sales in each zone.

The tag or label attached to any article covered by this order other than an FM tuner shall contain in addition to the information required by the foregoing provisions of this paragraph, the following with all blank spaces correctly filled in:

*Zone I Zone II*

Retail ceiling price without FM tuner.....	.....
Installed with FM tuner Model No. _____	.....

If the Magnavox Company manufactures more than one model FM tuner the tag or label shall indicate the retail ceiling price for the radio with each model FM tuner manufactured by the Magnavox Company which is designed for installation in that radio.

(e) All the provisions of MPR No. 599 not inconsistent with this order shall

apply to all sales and deliveries of radios covered by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 17th day of October 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Opinion Accompanying Amendment 1 to Revised Order 4 under Section 21 of MPR 599*

The accompanying amendment to Revised Order No. 4 under section 21 of MPR No. 599 hereafter referred to as Revised Order No. 4, increases the retail ceiling prices heretofore established by Revised Order No. 4 for certain radios manufactured by the Magnavox Company of Fort Wayne, Indiana. This increase is comparable to the increases authorized in retail ceiling prices for radios of other manufacturers by Amendment No. 2 and 4 to MPR No. 599. The retail ceiling prices of radios covered by Revised Order No. 4 were not affected by these amendments because they were specifically established by a special order and not subject to the general provisions of MPR No. 599; however the same reasons justify the increases authorized by the accompanying amendment as justified the increases provided for by those amendments to MPR No. 599.

In addition, the accompanying amendment adds several additional models to the scope of Revised Order No. 4. The retail ceiling prices so established for the additional models are established on the same basis as retail ceiling prices were established for the models heretofore subject to Revised Order No. 4.

The accompanying amendment also establishes ceiling prices at which the Magnavox Company may sell radios to dealers. MPR No. 599 is written on the theory that most manufacturers sell radios to dealers on an f. o. b. factory basis. The Magnavox Company has always made its sales on a delivered basis. It applied for permission to continue this practice and has proposed a method for determining its ceilings on a delivered basis in such a fashion that on the average the retail ceiling prices will not exceed the retail ceiling prices that would otherwise be established by MPR No. 599, and resellers of its radios will enjoy essentially the same realized margins on these radios that they would

on radios of other manufacturers. The ceiling prices established by the accompanying amendment utilize the method so proposed by the manufacturer, and are therefore in line with the general level of ceiling prices established by MPR No. 599.

The accompanying amendment also establishes a method for determining the ceiling prices for radios which have installed FM tuners manufactured by the Magnavox Company. These tuners may be installed in the radios by the manufacturer or by the dealers, and at other times they may be sold uninstalled. Technically each time a dealer installs a tuner he becomes a manufacturer and should apply for a ceiling price under the provisions of MPR No. 599; however viewed realistically this is not a manufacturing process.

Furthermore the radios should have the same retail ceiling price whether the FM tuner is installed by the dealer or the manufacturer. Accordingly the accompanying amendment establishes ceiling prices at all distributive levels for FM tuners manufactured by the Magnavox Company which may be added to the ceiling prices established for the radios when such radios are sold with FM tuners installed. Since the installation of the tuner is a simple operation requiring an insignificant amount of labor and skill, there is no provision for compensating the person who makes the installation. The ceiling prices so established are in line with the general level of ceiling prices established by MPR No. 599 for comparable radios of other manufacturers.

[F. R. Doc. 46-18643; Filed, Oct. 16, 1946;  
8:49 a. m.]

[MPR 120, Amdt. 48 to Order 1548]

ELLIOT COAL MINING CO. ET AL.

*ADJUSTMENT OF MAXIMUM PRICES*

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.212 (c) of Maximum Price Regulation No. 120, *It is ordered:*

Order No. 1548 under Maximum Price Regulation No. 120 is hereby amended in the following respects:

Paragraph (a) is amended by adding thereto the following names of the producers, addresses, mine names and index numbers, and preparation plant names, as follows:

Producer and address	Mine name	Mine index number	Location and name of preparation plant through which the coals are prepared
West Freedom Mining Company, c/o Milton Carr Ferguson, Esq., 1614 Eye Street, N. W. Washington, D. C. Elba Coal Company, Inc.—Box 328—Madera, Pa.	Semelsberger E. Elba No. 3-B.	5482 5914	Isabella K. Wood Preparation Plant— 3/4 mile east of Hastings, Pa. on P. R. R. Elba Coal Co. No. 2 Preparation Plant at Banian Junction, Pa. on P. R. R.

This Amendment No. 48 to Order No. 1548 under Maximum Price Regulation No. 120 shall become effective October 17, 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Opinion Accompanying Amendment 48 to Order 1548 Under Maximum Price Regulation 120*

West Freedom Mining Company, c/o Milton Carr Ferguson, Esq., 1614 Eye Street, Washington, D. C., and Elba Coal Company, Inc., Box 328, Madera, Penn-

## FEDERAL REGISTER, Thursday, October 17, 1946

Pennsylvania, filed applications pursuant to § 1340.212 (c) of Maximum Price Regulation No. 120, requesting that their maximum prices for strip-mined coal, produced at their Semelsberger E and Elba No. 3-B Mines, respectively, Mine Index Nos. 5482 and 5914, respectively, and prepared at their respective preparation plants at Hastings and Banian Junction, both in Pennsylvania and in District No. 1, be increased 50 cents per net ton.

It appears that the applicants' strip-mined coals receive thorough cleaning and hand-picking at their preparation plants and they are such that they can be prepared to a standard of general acceptability in the coal-consuming market.

The applicants qualify, therefore, for the requested relief under the provisions of said § 1340.212 (c). All mines of District No. 1, qualifying for an increase of 50 cents per net ton for prepared strip-mined coal under the provisions of § 1340.212 (c) of Maximum Price Regulation No. 120, have been grouped to-

gether by Order No. 1548, as amended, under Maximum Price Regulation No. 120. Accordingly, this order is being further amended to include applicants' strip-mined coals.

[F. R. Doc. 46-18675; Filed, Oct. 16, 1946; 8:48 a. m.]

This Amendment No. 13 to Order No. 1716 under Maximum Price Regulation No. 120 shall become effective October 17, 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Opinion Accompanying Amendment 13  
to Order 1716 Under Maximum Price  
Regulation 120*

William Aloe Coal Company, Box 564, Imperial, Pennsylvania, filed application pursuant to § 1340.213 (d) of Maximum Price Regulation No. 120, requesting that its maximum prices for strip-mined coal, produced at its Bertram Mine, Mine Index Number 4382, and prepared at its preparation plant at Annandale, Pennsylvania, in District No. 2, be increased 61¢ per net ton for coals delivered by all methods of transportation except truck or wagon shipment and 36¢ per net ton for truck or wagon shipment.

It appears that the applicant's strip-mined coals receives thorough cleaning and hand-picking at its preparation plant and they are such that they can be prepared to a standard of general acceptability in the coal-consuming market.

The applicant qualifies, therefore, for the requested relief under the provisions of said § 1340.213 (d). All mines of District No. 2, qualifying for an increase of 61¢ per net ton for prepared strip-mined coal delivered by all methods of transportation except truck or wagon shipment and 36¢ per net ton for truck or wagon shipment under the provisions of § 1340.213 (d) of Maximum Price Regulation No. 120, have been grouped together by Order No. 1716, as amended, under Maximum Price Regulation No. 120. Accordingly, this order is being further amended to include applicant's strip-mined coal.

[F. R. Doc. 46-18671; Filed, Oct. 16, 1946; 8:47 a. m.]

Producer and address	Mine name	Mine index number	Location and name of preparation plant through which the coals are prepared
Davistown Coal Co., Indian Head, Pa.....	Fulton.....	5920	Beacon Fuel Company's Wilson Mine Preparation Plant at Whitebridge, Pa., on B. & O.

This Amendment No. 49 to Order No. 1548 under Maximum Price Regulation No. 120 shall become effective October 17, 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Opinion Accompanying Amendment 49  
to Order 1548 Under Maximum Price  
Regulation 120*

Davistown Coal Company, Indian Head, Pennsylvania, filed an application pursuant to § 1340.212 (c) of Maximum Price Regulation No. 120, requesting that its maximum price for strip-mined coal, produced at its Fulton mine, Mine Index No. 5920 and prepared at its preparation plant at Whitebridge, Pennsylvania, in District No. 1, be increased 50 cents per net ton.

It appears that applicant's strip-mined coal receives thorough cleaning and hand-picking at the said preparation plant, and that it is such that it can be prepared to a standard of general acceptability in the coal-consuming market.

The applicant qualifies, therefore, for the requested relief under the provisions of said § 1340.212 (c). All mines of Dis-

trict No. 1, qualifying for an increase of 50 cents per net ton for prepared strip-mined coal under the provisions of § 1340.212 (c) of Maximum Price Regulation No. 120, have been grouped together by Order No. 1548, as amended, under Maximum Price Regulation No. 120. Accordingly, this order is being further amended to include applicant's strip-mined coal.

[F. R. Doc. 46-18676; Filed, Oct. 16, 1946; 8:48 a. m.]

[MPR 120, Amdt. 13 to Order 1716]

EDWARD TOMAJKO ET AL.

*ADJUSTMENT OF MAXIMUM PRICES*

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.213 (d) of Maximum Price Regulation No. 120; *It is ordered:*

Order No. 1716 under Maximum Price Regulation No. 120 is hereby amended in the following respects.

Paragraph (a) is amended by adding thereto the following name of the producer, address, mine name and index number, and preparation plant name as follows:

Producer and address	Mine name	Mine index number	Location and name of preparation plant through which the coals are prepared
William Aloe Coal Company, Box 564, Imperial, Pa.	Bertram.....	4382	Bortz & Bortz Annandale Preparation Plant at Annandale, Pa., on B. & L. E.

[MPR 120, Order 1760]

ASHLAND MINING & FUEL CO., ET AL.

*ESTABLISHMENT OF MAXIMUM PRICES AND  
PRICE CLASSIFICATIONS*

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the

respective size groups. The location of each mine is given by county and State. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases

where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

ASHLAND MINING & FUEL CO., P. O. BOX 1110, ASHLAND, KENTUCKY, RIGSBY LEASE NO. 2 MINE, NO. 7 SEAM, MINE INDEX NO. 7855, BOYD COUNTY, KY., SUB-DIST. 1, RAIL SHIPPING POINT: COALTON, KY., F. O. G. 61, STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21	
Price classification.....	M	M	M	M	K	K	J	G	E	G	F	L	L	L	
Rail shipment and railroad fuel.....	411	411	406	406	406	396	376	371	371	406	356	346	341	341	
Truck shipment.....	441	421	396	396	381	356	321	316	-----	-----	-----	-----	-----	-----	

ASHLAND MINING & FUEL CO., P. O. BOX 1110, ASHLAND, KENTUCKY, COSETT LEASE NO. 11 MINE, NO. 7 SEAM, MINE INDEX NO. 7856, BOYD COUNTY, KY., SUB-DIST. 1, RAIL SHIPPING POINT: COALTON, KY., F. O. G. 61, STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21	
Price classification.....	M	M	M	M	K	K	J	G	E	G	F	L	L	L	
Rail shipment and railroad fuel.....	411	411	406	406	406	396	376	371	371	406	356	346	341	341	
Truck shipment.....	441	421	396	396	381	356	321	316	-----	-----	-----	-----	-----	-----	

ASHLAND MINING & FUEL CO., P. O. BOX 1110, ASHLAND, KENTUCKY, DAVIS LEASE NO. 9 MINE, NO. 8 SEAM, MINE INDEX NO. 7857, BOYD COUNTY, KY., SUB-DIST. 1, RAIL SHIPPING POINT: COALTON, KY., F. O. G. 61, STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21	
Price classification.....	M	M	M	M	K	K	J	G	E	G	F	L	L	L	
Rail shipment and railroad fuel.....	411	411	406	406	406	396	376	371	371	406	356	346	341	341	
Truck shipment.....	441	421	396	396	381	356	321	316	-----	-----	-----	-----	-----	-----	

JAMES S. HARDY, MATEWAN, WEST VIRGINIA, LYNN MINE, THACKER SEAM, MINE INDEX NO. 7838, MINGO COUNTY, W. VA., SUBDIST. 8, RAIL SHIPPING POINT: MATEWAN, W. VA., F. O. G. 130, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.														
	Q	Q	Q	Q	O	O	N	L	J	L	F	K	K	K	
Rail shipment.....	391	386	381	381	371	361	366	356	351	401	356	346	341	341	
R. R. fuel.....	391	386	381	381	371	371	371	371	371	401	356	346	341	341	
Truck shipment.....	441	421	396	396	381	356	321	316	-----	-----	-----	-----	-----	-----	

ISLAND CREEK COAL CO., HUNTINGTON, WEST VIRGINIA, MINE NO. 24, L SEAM, MINE INDEX NO. 7823, MINGO COUNTY, W. VA., SUBDIST. 8, RAIL SHIPPING POINT: ROCK HOUSE FORK, W. VA., F. O. G. 150, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.														
	J	J	J	J	K	K	F	F	E	G	D	F	F	F	
Rail shipment and R. R. fuel.....	436	431	421	421	406	396	381	376	371	406	361	356	351	351	
Truck shipment.....	441	421	396	396	381	356	321	316	-----	-----	-----	-----	-----	-----	

ALFRED H. JOHNSON, PAINTSVILLE, KENTUCKY, ALFRED JOHNSON NO. 2 MINE, MILLERS CREEK SEAM, MINE INDEX NO. 7860, JOHNSON COUNTY, KY., SUBDIST. 1, RAIL SHIPPING POINT: PAINTSVILLE, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 2

	Size group Nos.														
	D	D	D	D	E	E	E	E	C	C	A	G	G	G	L
Rail shipment and R. R. fuel.....	466	456	456	441	431	401	381	376	376	431	366	356	346	341	301
Truck shipment.....	476	456	411	426	391	366	321	316	-----	-----	-----	-----	-----	-----	-----

STALLARD BROTHERS, PENNINGTON GAP, VIRGINIA, STALLARD MINE, IMRODEN SEAM, MINE INDEX NO. 7854, LEE COUNTY, VA., SUBDISTRICT 7, RAIL SHIPPING POINT: ROBBINS SIDING, VA., F. O. G. 204, STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.														
	M	M	M	M	K	K	J	G	E	G	D	K	K	K	
Rail shipment and railroad fuel.....	411	411	406	406	406	396	376	371	371	406	361	346	341	341	
Truck shipment.....	441	421	396	396	381	356	321	316	-----	-----	-----	-----	-----	-----	

This order shall become effective October 17, 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Opinion Accompanying Order 1760 Under  
Maximum Price Regulation 120*

The order which this opinion accompanies establishes maximum prices and price classifications and assigns mine index numbers to mines in District No. 8

which had not been classified and numbered by the former Bituminous Coal Division. This is done in accordance with § 1340.210 (a) (6) of the regulation which provides for this action.

Under this section, a producer is required to file an application for maximum prices and classifications based upon those of the nearest mine in the same or substantially similar seams. Generally the producer requests the prices and classifications he deems proper.

This application was then submitted to the industry advisory committee for District No. 8. The prices and classifications established are those recommended by the committee and those requested by the applicants, if a request was made, and are fair and equitable.

[F. R. Doc. 46-18678; Filed, Oct. 16, 1946;  
8:47 a. m.]

[MPR 188, Order 5234]

#### HOMECRAFTS ELECTRONIC PRODUCTS

##### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Homecrafts Electronic Products, 1208 So. Kedzie Avenue, Chicago 23, Illinois.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Re-tailers	
Hand carved black walnut or wild cherry wood cireline table lamp with hand tailored fabric shade.....	100	Each \$27.63	Each \$32.50	Each \$58.50

These maximum prices are for the articles described in the manufacturer's application dated September 23, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. Chicago 23, Ill., 1% 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the

Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number \_\_\_\_\_  
OPA Retail Ceiling Price—\$\_\_\_\_\_  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 17th day of October 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Opinion Accompanying Order 5234 Under  
§ 1499.158 of Maximum Price Regulation  
188*

By application dated September 23, 1946, Homecrafts Electronics Products, 1208 So. Kedzie Avenue, Chicago 23, Illinois, herein called the applicant, requested the Office of Price Administration to establish maximum prices for sales of lamps which it manufactures.

Since the applicant has not previously manufactured an article the maximum price of which may be used as a basis for pricing the articles described in the application under one of the first three pricing methods of Maximum Price Regulation No. 188, it has been necessary to consider the application under the Fourth Pricing Method, § 1499.158, which requires that prices be set in line with the level of maximum prices established by Maximum Price Regulation No. 188.

The specifications, construction and design of the applicant's product have been compared with those of comparable competitive articles for which maximum prices have been properly established under the regulation. The prices established by this order are in line with the maximum prices of those comparable articles for sales to the same classes of purchasers and are, therefore, in line with the level of maximum prices established by Maximum Price Regulation No. 188.

Highly inflationary tendencies have developed as a result of a great shortage in the supply of these articles. The Administrator has, therefore, deemed it ad-

visable to establish maximum resale prices. These prices are in line with the general levels of maximum resale prices for similar merchandise, allowing the sellers markups normally enjoyed in the industry for their types of distributive operations.

[F. R. Doc. 46-18680; Filed, Oct. 16, 1946;  
8:50 a. m.]

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number \_\_\_\_\_  
OPA Retail Ceiling Price—\$\_\_\_\_\_  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 17th day of October 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Opinion Accompanying Order 5235 Under  
§ 1499.158 of Maximum Price Regulation  
188*

By application dated August 19, 1946, Modern Designers, 7513 Melrose Avenue, Los Angeles 46, California, herein called the applicant, requested the Office of Price Administration to establish maximum prices for sales of lamps and shades which it manufactures.

Since the applicant has not previously manufactured an article the maximum price of which may be used as a basis for pricing the articles described in the application under one of the first three pricing methods of Maximum Price Regulation No. 188, it has been necessary to consider the application under the Fourth Pricing Method, § 1499.158, which requires that prices be set in line with the level of maximum prices established by Maximum Price Regulation No. 188.

The specifications, construction and design of the applicant's product have been compared with those of comparable competitive articles for which maximum prices have been properly established under the regulation. The prices established by this order are in line with the maximum prices of those comparable articles for sales to the same classes of purchasers and are, therefore, in line with the level of maximum prices established by Maximum Price Regulation No. 188.

Highly inflationary tendencies have developed as a result of a great shortage in the supply of these articles. The Administrator has, therefore, deemed it advisable to establish maximum resale prices. These prices are in line with the general levels of maximum resale prices for similar merchandise, allowing the sellers markups normally enjoyed in the industry for their types of distributive operations.

[F. R. Doc. 46-18679; Filed, Oct. 16, 1946;  
8:50 a. m.]

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Painted cast stone, black walnut and lucite insert in cast stone base table lamp with fabric shade...	100-A-B	Each \$14.87	Each \$17.50	Each \$31.50
Painted cast stone table lamp with fabric shade...	101-A-B	11.23	13.21	23.78
Painted cast stone, black walnut and lucite insert in cast stone base table lamp with wool yarn covered parchment shade...	102-A-B	13.19	15.52	27.94

These maximum prices are for the articles described in the manufacturer's application dated August 19, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. Los Angeles, 46, California, 2%, 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

[MPR 120, Amdt. 1 to Order 1734]

EDWARD TOMAJKO ET AL.

## ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.213 (d) (2) of

Producer and address	Mine index number	Location and name of preparation plant through which the coals are prepared
Culmerville Coal Company—Tarentum, Pa.	158	Culmerville Coal Company's Mutual No. 3 Mine Preparation Plant at Culmerville, Pa., on B. & L. E.

This Amendment No. 1 to Order No. 1734 under Maximum Price Regulation No. 120 shall become effective October 17, 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

## Opinion Accompanying Amendment 1 to Order 1734 Under Maximum Price Regulation 120

Culmerville Coal Company, Tarentum, Pennsylvania, filed an application pursuant to § 1340.213 (d) (2) of Maximum Price Regulation No. 120, requesting permission to charge deep-mine prices for strip-mined coals produced at Metz Mine, Mine Index No. 4599, of the Bisco Coal Company, when blended with 25% or more of deep-mined coal, and prepared at its preparation plant at Culmerville, Pennsylvania, in District No. 2.

It appears that applicant's strip-mined coal receives thorough cleaning and hand-picking at the said preparation plant, and that it is such that it can be prepared to a standard of general acceptability in the coal-consuming market.

It further appears that applicant's strip-mined coal is blended in preparation with not less than 25% deep-mined coal at the said preparation plant.

The applicant qualifies therefore for

Maximum Price Regulation No. 120, *It is ordered:*

Order No. 1734 under Maximum Price Regulation No. 120 is hereby amended in the following respects.

Paragraph (1) is amended by adding thereto the following in the manner indicated:

[MPR 591, Order 860]

WATCO ENGINEERING, INC.

## AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum prices, f. o. b. point of shipment, for sales by any person to consumers of the following: "Winco" aluminum windows manufactured by Watco Engineering, Incorporated and as described in the application dated June 10, 1946 which is on file with the Mechanical Building Equipment Price Branch, Office of Price Administration, Washington 25, D. C. shall be:

Item—Extruded aluminum ventilation window (sash and frame) double hung type, 638 alloy or equal, 0.0625 gauge or equal, welded construction, closed jamb and meeting rail, low sash glazed in rubber with S. S. glass, horizontal muntins bar in upper sash, automatic lock, stainless steel ventilating wings, complete with necessary hardware and weather stripping and 0.040 aluminum sheet or equal brick stops, and packaged. Windows prepared to receive screen and storm sash hardware.

Size No.	Size of window opening	Maximum prices on sales to consumers
2240	22 $\frac{1}{8}$ " x 40 $\frac{1}{8}$ "	\$29.40
2254	22 $\frac{1}{8}$ " x 54 $\frac{1}{8}$ "	32.00
2640	26 $\frac{1}{8}$ " x 40 $\frac{1}{8}$ "	30.05
2654	26 $\frac{1}{8}$ " x 54 $\frac{1}{8}$ "	32.75
3040	30 $\frac{1}{8}$ " x 50 $\frac{1}{8}$ "	30.80
3054	30 $\frac{1}{8}$ " x 54 $\frac{1}{8}$ "	33.60
3540	35 $\frac{1}{8}$ " x 40 $\frac{1}{8}$ "	32.30
3554	35 $\frac{1}{8}$ " x 54 $\frac{1}{8}$ "	34.80
4765	47 $\frac{1}{8}$ " x 65 $\frac{1}{8}$ "	40.20

(b) The maximum prices f. o. b. point of shipment on sales to dealers by any person shall be the maximum prices specified in (a) above reduced by 25 percent.

(c) This order does not establish maximum prices for the aluminum windows in question when sold on an installed basis. Maximum prices for such installed sales must be determined under the provisions of Revised Maximum Price Regulation No. 251.

(d) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(e) Each seller covered by this order, except on sales to consumers shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale.

(f) Watco Engineering, Incorporated of Cleveland, Ohio, shall submit to this Office 100 days after the effective date of this order the following information.

(1) Profit and Loss Statement for the 90 day period immediately following the effective date of this order.

(2) A complete breakdown of the actual current cost to make and sell the "Winco aluminum window."

This Amendment No. 14 to Order No. 1716 under Maximum Price Regulation No. 120 shall become effective October 17, 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

## Opinion Accompanying Amendment No. 14 to Order No. 1716 Under Maximum Price Regulation No. 120

Order No. 1716 under Maximum Price Regulation No. 120 includes, among others, the coals produced by strip min-

ing from the Culmerville No. 4 and Kelly Mines, Mine Index Nos. 307 and 949, respectively, of the Hoffman Coal Company and the Welling Coal Company, respectively. Since the said two mines have been abandoned, the said Order No. 1716 is being amended for the purpose of deleting therefrom the enumerated producers and addresses, mine names, mine index numbers and location and name of the preparation plant through which the coals are processed.

[F. R. Doc. 46-18674; Filed, Oct. 16, 1946; 8:48 a. m.]

Producer and address	Mine name	Mine index number	Location and name of preparation plant through which the coals are prepared
Hoffman Coal Company, 515 Penn. St., New Bethlehem, Pa.	Culmerville No. 4.	307	Culmerville Coal Co. Plant at Mutual No. 3 Mine, Culmerville, Pa., on B. & L. E.
Welling Coal Company, 809 Pittsburgh St., Springdale, Pa.	Kelly	949	Culmerville Coal Co. Plant at Mutual No. 3 Mine, Culmerville, Pa., on B. & L. E.

This Amendment No. 14 to Order No. 1716 under Maximum Price Regulation No. 120 shall become effective October 17, 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

## Opinion Accompanying Amendment No. 14 to Order No. 1716 Under Maximum Price Regulation No. 120

Order No. 1716 under Maximum Price Regulation No. 120 includes, among others, the coals produced by strip min-

## FEDERAL REGISTER, Thursday, October 17, 1946

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective October 17, 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Opinion Accompanying Order 860 Under Section 9 of Maximum Price Regulation 591*

The accompanying Order No. 860 under section 9 of Maximum Price Regulation 591 establishes maximum prices for sales at all levels of distribution for extruded aluminum ventilating windows of double hung type.

These particular commodities were only recently introduced into the market by the manufacturer. Consequently, maximum prices are approved pursuant to the provisions of section 9 of Maximum Price Regulation 591. Due to unusual nature of this product a provision that the company resubmit operating data to this Office 90 days after the effective date of the order is added.

In order to avoid any confusion on the part of resellers as to their maximum prices and for the purposes of protecting consumers, the accompanying order establishes dollars-and-cents prices for all levels of distribution. Maximum prices established for resellers reflect the usual margins of such resellers on sales of comparable product. The order provides that Watco Engineering, Incorporated shall notify each of its purchasers of its maximum prices as well as purchasers' maximum resale prices.

An analysis of the information submitted indicates that the prices requested are in line with the prices of competitive manufacturers for the basic commodity and that the special features of this commodity have been priced by a mark-up over direct material and labor costs similar to those prevailing among competitive manufacturers of the basic commodity. The maximum prices resulting are, therefore, in line with the level of prices established under Maximum Price Regulation 591 and conform to the customary practices of the applicant.

[F. R. Doc. 46-18667; Filed, Oct. 16, 1946;  
8:45 a. m.]

[MPR 591, Order 861]

ADVANCE PRODUCTS CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices for sales by any person to consumers of the following aluminum kitchen cabinets manufactured by Advance Products Company of Wichita, Kansas and as described in its application dated September 12, 1946, shall be:

<i>On Sales to Consumers</i>	
Model SB-7-A Aluminum Wall Cabinet, 11" x 24" x 30", 2 doors	\$24.04
Model SB-4-A Aluminum Base Cabinet, 24" x 24" x 36", 1 drawer, 2 doors	46.46
Model SB-6-A Aluminum Base Cabinet, 24" x 24" x 36", 4 drawers	52.19
Model SB-8-A Aluminum Undersink Cabinet, 42" x 24" x 36", 2 doors	66.27
Model SB-88-A Aluminum Undersink Cabinet, 48" x 24" x 36", 2 doors	72.12

(b) On sales to dealers the maximum net prices f. o. b. point of shipment shall be the maximum prices in (a) above less a discount of 40 percent.

(c) On sales to jobbers the maximum net prices f. o. b. point of shipment shall be the maximum prices in (a) above less successive discounts of 40 and 20 percent.

(d) The maximum prices established by this order are subject to such further cash discounts, transportation allowances and price differentials at least as favorable as those which each seller extended or rendered or would have extended or rendered during March 1942, on sales to commodities in the same general category.

(e) The maximum prices on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) Each seller covered by this order, except on sales to consumers shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective October 17, 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Opinion Accompanying Order 861 Under Section 9 of Maximum Price Regulation 591*

The accompanying Order No. 861 under section 9 of Maximum Price Regulation No. 591 establishes maximum prices for sales at all levels of distribution for aluminum kitchen cabinets manufactured by Advance Products Company of Wichita, Kansas.

These particular commodities were only recently introduced into the market by the manufacturer. Maximum prices for the items could not be established under sections 7 or 8 of Maximum Price Regulation No. 591, because this company had never manufactured comparable commodities. Consequently, maximum prices must be approved pursuant to the provisions of section 9 of Maximum Price Regulation No. 591.

In its application the company submitted its proposed prices for the commodities covered by this order. An analysis of the information submitted indicated that the prices approved are

in line with the prices of competitive manufacturers for comparable commodities and, therefore, are in line with the level of prices established under Maximum Price Regulation No. 591.

In order to avoid any confusion on the part of resellers as to their maximum prices and for the purposes of protecting consumers, the accompanying order establishes dollars and cents prices for all levels of distribution. Maximum prices established for resellers reflect the usual margins of such resellers on sales of comparable products.

The commodities manufactured by this company will be distributed by many resellers who may or may not have access to copies of the accompanying order. Therefore, in order to avoid confusion on the part of resellers who do not have access to this order, the order provides that the manufacturer shall notify each of its purchasers of its maximum prices as well as purchasers' maximum resale prices.

[F. R. Doc. 46-18666; Filed, Oct. 16, 1946;  
9:01 a. m.]

[RMPR 86, Rev. Order 12]

ELECTRIC HOUSEHOLD UTILITIES CORP.

APPROVAL OF MAXIMUM PRICES

Order 12 under Maximum Price Regulation No. 86 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 14 of Revised Maximum Price Regulation No. 86, It is ordered:

(a) *Maximum prices.* This order establishes maximum prices for sales and deliveries of the Model 400C Thor Automatic automatic washing machine manufactured by the Hurley Machine Division of the Electric Household Utilities Corporation, 54th Avenue and Cermak Road, Chicago, Illinois, and sold by them on or after the effective date of this order.

(1) For sales and deliveries of the Model 400C Thor Automatic automatic washing machine by the manufacturer to the classes of purchasers listed below the ceiling prices are as follows:

Article	Maximum prices for sales by the manufacturer to—		
	Distributors	Dealers	
	Zone 1	Zone 2	Zone 3
Model 400C Thor Automatic automatic washing machine.....	\$94.77	\$118.77	\$122.30
			\$124.79

These ceiling prices are for machines delivered by the manufacturer on or after the effective date of this order. The ceiling prices for sales to distributors are f. o. b. Chicago, Illinois, except that if the machine is produced at the Bloomington, Illinois plant of the manufacturer its ceiling prices are f. o. b. Bloomington, Illinois. The ceiling prices for sales to dealers are f. o. b. the manufacturer's nearest branch warehouse. In

all other respects these prices are subject to the manufacturer's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles.

(2) The ceiling prices for sales in each zone for the Model 400C Thor Automagic automatic washing machine by distributors to dealers are as follows:

Zone:	Ceiling prices for sales to dealers
1	\$118.77
2	122.30
3	124.79

These ceiling prices are for machines sold by the manufacturer on or after the effective date of this order. They are subject to each seller's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles.

(3) Ceiling prices for sales in each zone of the Model 400C Thor Automagic washing machine by dealers to consumers are as follows:

Zone:	Ceiling prices for sales to consumers
1	\$190.75
2	196.75
3	199.75

These prices are for machines sold by the manufacturer on or after the effective date of this order. They include a one year warranty. In all other respects they are subject to each seller's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles.

(b) For purposes of this revised order Zones 1, 2, and 3 comprise the following states:

Zone 1: Minnesota, Iowa, Missouri, Wisconsin, Illinois, Tennessee, Michigan, Indiana, Kentucky, Ohio, Pennsylvania, West Virginia, Virginia, Maryland, New Jersey, Connecticut, Massachusetts, Rhode Island, New Hampshire, Vermont, Maine, South Dakota, Nebraska, Kansas, New York, Delaware, and the District of Columbia.

Zone 2: Louisiana, Oklahoma, Mississippi, Arkansas, Alabama, Georgia, North Carolina, South Carolina, and North Dakota.

Zone 3: New Mexico, Arizona, California, Oregon, Nevada, Utah, Colorado, Wyoming, Washington, Montana, Idaho, Texas and Florida.

(c) At the time of, or prior to, the first invoice to each distributor, the manufacturer shall notify him of the ceiling prices established by this revised order for resales by the distributor. This notice may be given in any convenient form.

(d) The ceiling prices established by this revised order supersede those based upon Order No. 12 under Maximum Price Regulation No. 86 only with respect to machines shipped by the manufacturer on or after the effective date of this revised order.

(e) All the provisions of Revised Maximum Price Regulation No. 86 continue to apply to all sales and deliveries of machines covered by this order, except to the extent that those provisions are modified by this revised order.

(f) Unless the context requires otherwise, the definitions set forth in the various sections of Revised Maximum Price Regulation No. 86 shall apply to the terms used herein.

(g) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 17th day of October, 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

prices allowed by Amendment 3 to Revised Maximum Price Regulation No. 86.  
[F. R. Doc. 46-18670; Filed, Oct. 16, 1946;  
8:46 a. m.]

[RMPR No. 86, Order 82]

#### EASY WASHING MACHINE CORP.

##### APPROVAL OF MAXIMUM CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 14 of Revised Maximum Price Regulation No. 86, it is ordered:

(a) *Scope of this order.* This order establishes ceiling prices for certain sales of Model H-46 Easy Whirldry portable washing machines manufactured by the Easy Washing Machine Corporation of Syracuse 1, New York.

(b) *Distributors' ceiling prices to dealers.* Any distributor may offer for sale, sell or deliver to any dealer domestic washing machines subject to this order at prices not in excess of those listed below as applicable to such sales or deliveries:

Number of machines delivered to one dealer at one time:	Ceiling price, each
1 to 4, inclusive	\$34.50
5 to 9, inclusive	34.00
10 to 24, inclusive	33.50
25 or more, but less than a carload lot	33.00
Carload lot	32.50

The above ceiling prices are f. o. b. point of shipment.

(c) *Retail ceiling prices.* Any person may offer for sale, sell or deliver to a consumer domestic washing machines subject to this order at a price not in excess of \$49.95 each.

(d) Except as is otherwise provided for in paragraph (b) of this order, the ceiling prices established by this order are subject to the provisions of section 22 of Revised Maximum Price Regulation No. 86.

(e) At the time of, or prior to the first invoice to each distributor, the manufacturer shall notify him of the ceiling prices established by this order for resales by the distributor of machines subject to this order. The notice may be given in any convenient form.

(f) All the provisions of Revised Maximum Price Regulation No. 86 continue to apply to all sales and deliveries of machines subject to this order, except to the extent that these provisions are modified by this order.

(g) Unless the context requires otherwise, the definitions set forth in the various sections of Revised Maximum Price Regulation No. 86 shall apply to all terms used herein.

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 17th day of October 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Opinion Accompanying Order 82 Under Revised Maximum Price Regulation 86*

The Easy Washing Machine Corporation, Syracuse 1, New York, hereinafter referred to as the manufacturer, has applied under section 9 of Revised Maximum Price Regulation No. 86 for the establishment of ceiling prices for its sales of its Model H-46 Easy Whirldry portable washing machine, and applied under section 14 for the establishment of resellers' ceiling prices for that machine.

A letter order is being issued approximately simultaneously herewith establishing ceiling prices for the manufacturer's sales of these machines. The accompanying order establishes resellers' ceiling prices for these machines.

Section 16 (b) of Revised Maximum Price Regulation No. 86 requires the manufacturer to calculate retail ceiling prices for all domestic laundry machines of his manufacture in accordance with the rules set forth in that section. However rule 11 contained in that section requires the manufacturer to apply under section 14 for the establishment of a retail ceiling price for a particular machine whenever he cannot determine the retail ceiling price under one of the other rules. The manufacturer, heretofore, has not produced or sold a domestic laundry machine which is comparable to the one under consideration; therefore he could not determine its retail ceiling price under this section 16 (b) and accordingly applied under section 14 for the establishment of such ceilings. Distributors will likewise find it impossible to ascertain their ceiling prices under section 16.

Section 14 of Revised Maximum Price Regulation No. 86 provides that whenever the manufacturer's ceiling prices for a washing machine have been determined under the regulation, an order may be issued fixing ceiling prices for sales of the machine by distributors and dealers.

The ceiling prices established by the accompanying order will enable distributors and dealers to enjoy on the machines in question slightly higher mark-ups over their purchase price ceilings than were enjoyed on the average by dealers and distributors of domestic washing machines on March 31, 1946 and those enjoyed on domestic washing machines manufactured by the manufacturer in question. However, they are slightly below the mark-ups over the actual purchase price, as distinguished from ceiling price, which distributors and dealers of machines manufactured by the Easy Washing Machine Corporation enjoyed on March 31, 1946.

Accordingly, it follows that the ceiling prices established by the accompanying order are in line with the general level of ceiling prices established under Revised Maximum Price Regulation No. 86.

[F. R. Doc. 46-18669; Filed, Oct. 16, 1946; 8:46 a. m.]

[RMPR 136, Order 681]

NATIONAL TRAILER CORP.

**ADJUSTMENT OF MAXIMUM PRICES**

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register, and pursuant to sections 9, 10, and 11 (c) of Revised Maximum Price Regulation 136, *It is ordered:*

(a) National Trailer Corporation, Elwood, Indiana, may sell, f. o. b. plant, each National trailer coach described in subparagraph (1) below at a price not to exceed those listed in subparagraph (2) below plus federal excise tax, state and local taxes on the sale or delivery of the trailer coach and the driveway charge by the most direct route from the factory at Elwood, Indiana to the purchaser.

(1) *Descriptions.* National trailer coach, Chalet model, single axle, body dimensions 22' long x 8' wide, equipped with 6.00 x 16, 6-ply tires and tubes, permanent bed, davenport bed, heating and cooking stoves, electric refrigerator, sink and other detailed specifications included in the report filed with this Office.

National trailer coach, Castle DeLuxe model, tandem axle, body dimensions 24' long x 8' wide, equipped with 7.00 x 15, 6-ply tires and tubes, permanent bed, davenport bed, heating and cooking stoves, electric refrigerator, sink and other detailed specifications included in the report filed with this Office.

(2) *Prices.*

Chalet	\$1,080.12
Castle DeLuxe	1,263.62

(b) National Trailer Corporation is authorized to suggest to resellers resale prices for the trailer coaches described in (a) (1) consisting of the following:

(1) *Suggested resale list prices.*

Chalet	\$1,543.00
Castle DeLuxe	1,805.00

(2) *Charges.* (i) A charge for transportation not to exceed the driveway charge by the most direct route from the factory at Elwood, Indiana, to the place of business of the reseller.

(ii) A charge equal to the charge made by National Trailer Corporation to cover federal excise taxes.

(iii) A charge equal to the reseller's expense for payment of state and local taxes on the purchase, sale or delivery of the trailer coach.

(c) A reseller of National trailer coaches in any of the territories or possessions of the United States is authorized to sell the trailer coaches described in paragraph (a) at a price not to exceed the prices established in paragraph (b) to which it may add a sum equal to the expense incurred or charged to it for payment of territorial and insular taxes, on the purchase, sale or introduction of the trailer coach, export premiums, boxing and crating for export purposes, marine and war risk insurance, and landing wharfage and terminal operations.

(d) All requests not granted herein are denied.

(e) This order may be amended or revoked by the Administrator at any time.

**NOTE:** Where the manufacturer's invoice charge to the reseller is increased or decreased from the previous invoice charge because the manufacturer has a newly established price under section 8 of Revised Maximum Price Regulation 136, due to substantial changes in design, specification or equipment of the trailer coach, the reseller may add to its price under paragraph (b) the increase in price, plus its customary mark-up

on such a cost increase, but in case of a decrease in the price, the reseller must reduce its price under paragraph (b) by the amount of the decrease and its customary mark-up on such an amount.

This order shall become effective October 17, 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Opinion Accompanying Order 681 Under Revised Maximum Price Regulation 136*

A report of Manufacturer's Proposed List Price was filed by National Trailer Corporation on September 17, 1946, requesting authority to establish maximum prices and suggested resale list prices for trailer coaches identified as models Chalet and Castle DeLuxe.

In the order which this opinion accompanies, prices are approved for sale of these trailer coaches by National Trailer Corporation, Elwood, Indiana, the manufacturer. This approval is in accordance with Sections 9 and 10 of Revised Maximum Price Regulation 136.

It is customary for this manufacturer to have suggested resale list prices on its products. Those established in this order in accordance with section 11 (c) are in line with those customarily established for this manufacturer and with the level of prices of comparable products, permitted by this regulation.

The reseller shall determine his maximum prices in accordance with section 11 (c) by using the manufacturer's suggested resale list prices approved by this order.

[F. R. Doc. 46-18678; Filed, Oct. 16, 1946; 8:49 a. m.]

[MPR 188, Amdt. 5 to Order 4875]

**LINOLEUM AND FELT—BASE FLOOR AND WALL COVERINGS**

**ADJUSTMENT OF MAXIMUM PRICES**

For the reasons set forth in an opinion issued simultaneously herewith and filed with the FEDERAL REGISTER; and pursuant to § 1499.159b of Maximum Price Regulation No. 188, *It is ordered*, That Order No. 4875 under Maximum Price Regulation No. 188 be amended in the following respects:

1. Section 3 (c) (1) is amended to read as follows:

(1) A manufacturers' "unadjusted maximum price" for his sale to a person other than a retailer of an article whose maximum price is properly established under Maximum Price Regulation No. 188 is 111 percent of the maximum price so established, not including any increases in that maximum price permitted by an Office of Price Administration Order.

2. Section 3 (c) (2) is amended to read as follows:

(2) A manufacturers' "unadjusted maximum price" for his sales to a retailer of an article covered by this order is 111 percent of the list price in effect on January 1, 1946, not including the

amount of increase authorized by paragraph (b) of this section.

This amendment shall become effective on the 16th day of October 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Opinion Accompanying Amendment No. 5 to Order No. 4875 Under Maximum Price Regulation No. 188*

The effect of the accompanying amendment is to increase manufacturers' maximum prices for sales of articles of linoleum and felt base floor and wall coverings by approximately 1.84 percent.

Order No. 4875 under Maximum Price Regulation No. 188 was issued on February 25, 1946 and Amendments 1 and 3 thereto, on April 26 and August 30th, 1946 respectively. The order as amended granted manufacturers of the covered articles price adjustments in accordance with the established policy of this Office known as the "industry earnings standard". A statement of this policy is set forth in the opinion accompanying the issuance of Order 4875. Since the considerations involved in the issuance of this amendment are the same as those involved in the issuance of the original order and the 1st and 3rd amendments thereto, the opinions accompanying their issuance are incorporated herein and made a part hereof by reference.

At the time of the issuance of Amendment No. 3, a linseed oil cost increase (linseed oil being one of the major material costs of the industry) was not anticipated and therefore not reflected in the projected consolidated profit and loss statement for the forthcoming 12 months of the industry's operations. This increase of \$.02 per lb. will increase the materials cost of the industry to a point where base period profits (1936-1939) will not be assured. The profit and loss statements for the 2d quarter of the firms used in the study were projected for the next 12 months and it was determined that the industry is entitled to an increase of 1.8% in order to insure them earnings equal to those of the base period.

The accompanying amendment to Order No. 4875 under Maximum Price Regulation No. 188 provides that a manufacturers' "unadjusted maximum price" for a sale of an article of linoleum and felt base floor and wall coverings to a person other than a retailer, is now computed at 111 percent of the Maximum Price properly established under Maximum Price Regulation No. 188 (not including any increase in that maximum price permitted by an Office of Price Administration Order) instead of 109 percent as is now provided for in Amendment 3 to Order No. 4875. A manufacturer's "unadjusted maximum price" for such a sale to a retailer is 111 percent of the list price in effect on January 1, 1946 instead of 109 percent as presently provided for in the order.

The absorption required of retailers is unchanged by this amendment. Since there have been no general actions by the Office of Price Administration since March 31, 1946, which reduce reseller's

margins, the action is in conformity with section 2 (t) of the Emergency Price Control Act, as amended which provides "... in establishing maximum prices applicable to wholesale or retail distribution, the Administrator shall allow the average current cost of acquisition of any commodity, plus such average percentage discount or markup as was in effect on March 31, 1946."

[F. R. Doc. 46-18824; Filed, Oct. 16, 1946;  
11:16 a. m.]

[MPR 580, Rev. Order 140]

MONUMENT MILLS

**ESTABLISHMENT OF CEILING PRICES**

MPR 580, Revised Order 140 establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-829.

Order No. 140 is redesignated Revised Order 140 and is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580, *It is ordered:*

(a) The ceiling price for a sale at retail of any bedspread, manufactured by Monument Mills, Housatonic, Massachusetts, having the brand name "Monument", and delivered on and after the effective date of this revised order, shall be the sum of the net invoice cost to the retailer of that article (not including discounts, freight, and other allowances) plus an amount equal to 68.1% thereof adjusted to the nearest five cents. When you are permitted to and do change your ceiling price for an article the retail price of which has once been established pursuant to this order the retail price of that article must be revised in accordance with this order. However, at the time of or before the first delivery of an article at such a changed retail price, you must send a notification showing the new unadjusted selling price and the new required retail price, both to your customer and also to the OPA Distribution Branch, Washington, D. C.

(b) The retail ceiling prices covered by this order shall apply in place of the ceiling prices which have been or would otherwise be established under this or any other regulation.

(c) Within 20 days after the effective date of this revised order, Monument Mills must mark each article covered herein with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Sec. 13, MPR 580)  
OPA Price — \$

With each shipment by Monument Mills between the effective date of this revised order and 20 days thereafter, of articles not properly preticketed in accordance with this order, Monument Mills shall notify each purchasing retailer in writing that the article is not accurately ticketed and that the purchaser is required to ticket these articles in accordance with the provisions of paragraph (a). No retailer may offer or sell the articles unless it is marked or tagged in the form stated above and in

accordance with the provisions of this order.

(d) At the time of or before the first delivery to any purchaser for resale of any article covered herein, the seller shall send the purchaser a copy of this order and of each amendment thereto issued prior to the date of such delivery.

(e) Unless the context otherwise requires, the provisions of the applicable regulation shall apply to sales for which retail ceiling prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective October 16, 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Opinion Accompanying Revised Order No. 140 Under Maximum Price Regulation 580*

The accompanying revised Order No. 140 substantially embodies the original order and all subsequent amendments thereto, issued to Monument Mills, Housatonic, Massachusetts, under section 13 of Maximum Price Regulation 580, and also establishes a pricing formula whereby a fixed markup is applied to the net invoice cost to the retailer. This will enable the manufacturer to continue his customary practice of maintaining uniform retail selling prices on his branded merchandise. Furthermore, the marking, tagging and posting provision in paragraph (c), and the notice provision in paragraph (d) have been revised.

[F. R. Doc. 46-18827; Filed, Oct. 16, 1946;  
11:17 a. m.]

[MPR 580, Rev. Order 278]

BATES FABRICS, INC.

**ESTABLISHMENT OF CEILING PRICES**

Maximum Price Regulation 580, Revised Order 278. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-831.

Order No. 278 is redesignated Revised Order 278 and is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580, *It is ordered:*

(a) The ceiling price for a sale at retail east of Denver, Colorado, of any bedspread or drapery manufactured by Bates Fabrics, Inc., 80 Worth Street, New York 13, New York, having the brand name "Bates" and delivered on and after the effective date of this revised order, shall be the sum of the net invoice cost to the retailer of that article (not including discounts, freight and other allowances) plus an amount equal to 80.8% thereof adjusted to the nearest five cents. At Denver and west of Denver, the retail ceiling price shall be the east of Denver ceiling price increased by \$1.00 per article. When you are permitted to and do change your ceiling price for an article the retail price of which has once been

established pursuant to this order, the retail price of that article must be revised in accordance with this order. However, at the time of or before the first delivery of an article at such a changed retail price, you must send a notification showing the new unadjusted selling price and the new required retail price, both to your customer and also to the OPA Distribution Branch, Washington, D. C.

(b) The retail ceiling prices covered by this order shall apply in place of the ceiling prices which have been or would otherwise be established under this or any other regulation.

(c) Within 20 days after the effective date of this revised order, Bates Fabrics, Inc. must mark each article covered herein with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Sec. 13, MPR 580)  
OPA Price \$-----

With each shipment by Bates Fabrics Inc. between the effective date of this revised order and 20 days thereafter, of articles not properly preticketed in accordance with this order, Bates Fabrics Inc. shall notify each purchasing retailer in writing that the article is not accurately ticketed and that the purchaser is required to ticket these articles in accordance with the provisions of paragraph (a). No retailer may offer or sell the article unless it is marked or tagged in the form stated above and in accordance with the provisions of this order.

(d) At the time of or before the first delivery to any purchaser for resale of any article covered by this order, the seller shall send the purchaser a copy of this order and of each amendment thereto issued prior to the date of such delivery.

(e) Unless the context otherwise requires, the provisions of the applicable regulation shall apply to sales for which retail ceiling prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective October 16, 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Opinion Accompanying Revised Order No. 278 Under Maximum Price Regulation No. 580*

The accompanying Revised Order No. 278, substantially embodying the original order and subsequent amendments thereto, issued to Bates Fabrics, Inc., 80 Worth Street, New York 13, New York, under section 13 of Maximum Price Regulation 580, establishes uniform retail ceiling prices for bedspreads and drapery by a pricing formula whereby a fixed markup is applied to the net invoice cost to the retailer. Provision is also made for a retail ceiling differential for Denver, Colorado, and the region west of Denver. This will enable the manufacturer to con-

tinue its customary business practice of maintaining uniform retail selling prices on its branded merchandise.

The revised order also changes the notice provision and the marking, tagging, and posting provision.

[F. R. Doc. 46-18826; Filed, Oct. 16, 1946;  
11:17 a. m.]

[MPR 580, Amdt. 1 to Order 304]

NATIONAL CARBON CO., INC.

ESTABLISHMENT OF CEILING PRICES

Maximum Price Regulation 580, amendment 1 to Order 304, Establishing Ceiling prices at retail for certain articles. Docket No. 6063-580-13-834.

For the reasons set forth in the opinion issued simultaneously herewith, Order No. 304 issued under section 13 of Maximum Price Regulation 580 on application of National Carbon Company, Inc., 30 East 42d Street, New York 17, New York, is amended in the following respects:

1. Paragraph (a) is amended to add the following:

PLASTIC SHOWER CURTAINS AND WINDOW CURTAINS

[Prices for window curtains are per pair]

Manufacturer's selling prices <sup>1</sup>	Retail ceiling price
\$2.25	\$3.95
2.82	4.95
3.39	5.95
3.96	6.95

<sup>1</sup> All above listed invoice prices are subject to the following terms: 2%, 15 days end of month.

This amendment shall become effective October 16, 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Opinion Accompanying Amendment 1 to Order No. 304 Under Maximum Price Regulation 580*

The accompanying amendment to Order 304 issued to National Carbon Company, Inc., 30 East 42nd Street, New York 17, New York, under section 13 of Maximum Price Regulation 580, establishes uniform retail ceiling prices for new window and shower curtains. This will enable the manufacturer to continue his customary business practice of maintaining uniform retail selling prices on his branded merchandise.

[F. R. Doc. 46-18826; Filed, Oct. 16, 1946;  
11:16 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on October 9, 1946.

Region II

Syracuse Order 53, Amendment 1, covering dry groceries. Filed 2:56 p. m.

Region V

Oklahoma City Order 19, Amendment 22, covering dry groceries sold by Groups 3 and 4 stores. Filed 3:00 p. m.

Wichita Order 34, Amendment 12, covering dry groceries. Filed 2:45 p. m.

Wichita Order 35, Amendment 12, covering dry groceries. Filed 2:44 p. m.

Wichita Order 36, Amendment 9, covering dry groceries. Filed 2:44 p. m.

Region VI

Des Moines Orders 22 and 23, Amendments 11 and 9, covering dry groceries in certain counties in Iowa. Filed 3:00 and 3:02 p. m.

Des Moines Orders 24 and 25, Amendments 9 and 10, covering dry groceries in certain counties in Iowa. Filed 3:02 p. m.

Fargo Order 39, Amendment 8, covering dry groceries in certain counties in North Dakota and Minnesota. Filed 2:44 p. m.

Fargo Order 31, Amendment 10, covering dry groceries in certain areas in North Dakota. Filed 2:43 p. m.

Fargo Order 42, Amendment 10, covering dry groceries in certain areas in North Dakota. Filed 2:43 p. m.

Fargo Order 43, Amendment 10, covering dry groceries in certain areas in North Dakota. Filed 2:42 p. m.

Fargo Order 44, Amendment 10, covering dry groceries in certain areas in North Dakota. Filed 3:02 p. m.

Green Bay Order 19, Amendment 5, covering dry groceries in certain areas in Wisconsin. Filed 2:56 p. m.

Green Bay Order 20, Amendment 5, covering dry groceries in certain areas in Wisconsin. Filed 2:58 p. m.

Green Bay Order 21, Amendment 5, covering dry groceries in certain areas in Wisconsin. Filed 2:57 p. m.

Green Bay Order 22, Amendment 4A, covering dry groceries in certain counties in Wisconsin. Filed 2:58 p. m.

Green Bay Order 23, Amendment 5, covering dry groceries in certain areas in Wisconsin. Filed 2:56 p. m.

Green Bay Order 24, Amendment 1, covering dry groceries in certain areas in Wisconsin. Filed 2:58 p. m. and 2:45 p. m.

Omaha Orders 45 and 46, Amendment 2, covering dry groceries in certain counties in Nebraska. Filed 2:57 and 2:45 p. m.

Omaha Orders 50 and 51, Amendment 2, covering dry groceries in certain areas in Nebraska. Filed 2:57 p. m.

Springfield Orders 60 and 61, Amendment 7A, covering dry groceries in certain areas in Illinois. Filed 2:49 and 2:55 p. m.

Springfield Orders 62 and 63, Amendment 8A, covering dry groceries in certain counties in Illinois. Filed 2:55 p. m.

Springfield Order 64, Amendment 6A, covering dry groceries in certain counties in Illinois. Filed 2:56 p. m.

Region VIII

Arizona Order 27, Amendment 2, covering dry groceries in the Navajo-Hopi Indian Reservation area. Filed 2:59 p. m.

Arizona Order 29, Amendment 2, covering dry groceries in the South Central Arizona area. Filed 2:59 p. m.

Arizona Order 31, Amendment 2, covering dry groceries in the Mohave County and Southern Navajo-Apache areas. Filed 2:59 p. m.

Arizona Order 32, Amendment 2, covering dry groceries in the Kingman and Central Navajo-Apache areas. Filed 2:59 p. m.

Arizona Order 33, Amendment 2, covering dry groceries in the Navajo, Apache, Greenlee and Chochise counties in the eastern Arizona area. Filed 3:00 p. m.

Arizona Order 35, Amendment 3, covering dry groceries in the Northwestern Arizona area. Filed 3:00 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 46-18555; Filed, Oct. 15, 1946;  
8:53 a. m.]

[Region VIII Order G-5 Under MPR 592,  
Revocation]

#### CONSTRUCTION MATERIALS AND REFRACTORIES IN SAN FRANCISCO REGION

For the reasons set forth in the accompanying opinion and pursuant to the authority vested in the Regional Administrator by section 16 of Maximum Price Regulation No. 592, and reserved in Order No. G-5 under Maximum Price Regulation No. 592, said Order No. G-5 is hereby revoked.

This order of revocation shall become effective October 3, 1946.

Issued this 3d day of October 1946.

BEN C. DUNIWAY,  
Regional Administrator.

*Opinion Accompanying Order Revoking  
Order No. G-5 Under Maximum Price  
Regulation No. 592*

Order No. G-5 established maximum prices for resellers in Region VIII of any product, the sale of which by the manufacturer or producer thereof, is subject to Maximum Price Regulation No. 592. This order provided that if the manufacturer had secured an increase, the reseller could increase his maximum price by the same dollar and cents increase permitted the manufacturer.

Section 2 (t) of the Emergency Price Control Act of 1942, as amended, now provides that in establishing maximum prices applicable to wholesale or retail distributors, the Administrator shall allow the average current cost of acquisition of any commodity plus such average percentage discount or markup as was in effect on March 31, 1946. This has been implemented by the issuance of Supplementary Order No. 176.

The effect of this revocation will be that those dealers heretofore pricing under Order No. G-5 may now price under Supplementary Order No. 176. They will thus secure their current cost of acquisition plus their markup in effect on March 31, 1946.

[F. R. Doc. 46-18650; Filed, Oct. 16, 1946;  
8:51 a. m.]

[Region I Order G-1 Under Rev. Gen. Order  
65, Amdt. 2]

#### LUMBER AND LUMBER PRODUCTS IN BOSTON REGION

Under the authority vested in the Regional Administrator of Region I by Revised General Order No. 65, and for the reasons set forth in an opinion issued simultaneously herewith, Region I Order No. G-1 under Revised General Order No. 65 is amended in the following respects:

(1) The maximum prices established by Appendix A of this order for retail type sales by lumber distribution yards out of distribution yard stock of Northeastern White Pine, Eastern Hemlock, and Eastern Spruce are increased as follows: The increased maximum prices shall be figured by adding to the prices listed on the following Price Tables of Appendix A the amounts set forth below:

Sheet No.	Amount of increase
1. Boards, northeastern white pine	\$1.50
2. Boards, eastern hemlock	1.50
3. Dimension, eastern hemlock	1.50
4. Timbers, eastern hemlock	1.50
11. Boards, eastern spruce	5.50
12. Dimension, eastern spruce, full sawn	5.50
13. Small timbers, eastern spruce, full sawn	5.50
14. Eastern spruce furring	5.50
15. Eastern spruce selected scaffolding	5.50
Eastern spruce lath	1.05

(2) No changes are made in the amounts of additions or deductions established by the footnotes to any price table of this order.

(3) The above authorized increases shall remain in effect only until an amendment to this order is issued which revises the Price Tables listed above.

This amendment shall become effective October 3, 1946.

Issued this 3d day of October 1946.

H. RUSSELL CORT,  
Acting Regional Administrator.

*Opinion Accompanying Amendment 2 to  
Order No. G-1 Under Revised General  
Order No. 65*

The accompanying Amendment No. 2 to Order No. G-1 issued by the Regional Administrator for Region I under Revised General Order No. 65 permits certain increases in the maximum dollar and cent prices fixed by this order for Northeastern White Pine, Eastern Hemlock and Eastern Spruce.

Prior to this Order No. G-1, maximum prices for sales covered by this order of these lumber items were established by 2nd Revised Maximum Price Regulation No. 215. That regulation fixes maximum prices by a formula based upon the f. o. b. price for a direct-mill shipment of the lumber item to be priced. This Order No. G-1 translated these formula prices into specific dollar and cent maximum prices.

Amendment 4 to 3rd Revised Maximum Price Regulation No. 219, issued and effective October 3, 1946, increases the f. o. b. prices for direct-mill shipments of the lumber items for which increases are permitted by this amendment. The application of the formula prescribed by 2nd Revised Maximum Price Regula-

tion No. 215 to these increased mill prices would result in maximum prices for sellers covered by this order which would be higher than the prices originally established by this order. It is contemplated that the Price Tables covering these items will be revised in the near future and dollar and cent maximum prices issued which will be based upon f. o. b. prices for direct-mill shipments as fixed by Amendment 4 to 3rd Revised Maximum Price Regulation No. 219. However, this interim action has been taken in order to maintain, until such revised price tables can be issued, the average percentage markup which was in effect on March 31, 1946 for sellers covered by this order. Preliminary studies indicate that the amounts of the increases granted herein are sufficient, on an average, to have this effect.

[F. R. Doc. 46-18648; Filed, Oct. 16, 1946;  
8:51 a. m.]

[Region I Order G-2 Under Gen. Order 68,  
Amdt. 4]

#### HARD BUILDING MATERIALS IN MASSACHUSETTS

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order No. 68, as amended, Region I Order No. G-2 under General Order No. 68 is amended in the following respects:

(1) First Revised Appendix A—Metropolitan Boston Area Maximum Prices is hereby revoked and Second Revised Appendix A—Metropolitan Boston Area Maximum Prices attached to, and made a part of this amendment, is substituted therefor and is made part of Order No. G-2.

(2) First Revised Appendix B—Central Massachusetts Area Maximum Prices is hereby revoked and Second Revised Appendix B—Central Massachusetts Area Maximum Prices attached to and made a part of this amendment, is substituted therefor and is made part of Order No. G-2.

(3) First Revised Appendix C—Western Massachusetts Area Maximum Prices, is hereby revoked and Second Revised Appendix C—Western Massachusetts Area Maximum Prices attached to, and made a part of this amendment, is substituted therefor and is made part of Order No. G-2.

(4) First Revised Appendix D—Northeastern Massachusetts Area Maximum Prices is hereby revoked and Second Revised Appendix D—Northeastern Massachusetts Area Maximum Prices attached to and made a part of this amendment, is substituted therefor and is made part of Order No. G-2.

(5) First Revised Appendix E—Southeastern Massachusetts Area Maximum Prices is hereby revoked and Second Revised Appendix E—Southeastern Massachusetts Area Maximum Prices, attached to and made a part of this amendment, is substituted therefor and is made part of Order No. G-2.

(6) First Revised Appendix F—Barnstable County Area Maximum Prices is

## FEDERAL REGISTER, Thursday, October 17, 1946

hereby revoked and Second Revised Appendix F—Barnstable County Area Maximum Prices, attached to and made a part of this amendment, is substituted therefor, and is made part of Order No. G-2.

This amendment shall become effective September 27, 1946.

Issued this 27th day of September 1946.

H. RUSSELL CORT,  
Acting Regional Administrator.

SECOND REVISED APPENDIX A—METROPOLITAN BOSTON AREA MAXIMUM PRICES

1. Metropolitan Boston area includes:

Boston	Newton
Arlington	Norwood
Lexington	Quincy
Belmont	Randolph
Watertown	Revere
Brookline	Saugus
Cambridge	Somerville
Canton	Stoneham
Chelsea	Wakefield
Dedham	Widham
Everett	Watertown
Lynn	Wellesley
Malden	Westwood
Medford	Weymouth
Melrose	Winchester
Milton	Woburn
Needham	Winthrop

2. Free delivery must be made within a radius of 10 miles of seller's customary place of business except as otherwise provided. (See sections 3 and 6 (c).)

3. A discount of 2% for payment within 10 days must be granted except on over the counter cash sales amounting to less than \$50.00. A seller's March 1942, further discounts, allowances, differentials, and terms must be maintained. (See section 2 (b) and section 6 (c).)

4. New sellers. In addition to the requirements in paragraphs 2 and 3 above, a new seller must grant the further discounts, allowances, differentials and terms as were in effect during March 1942, for his most closely competitive seller of the same class. He shall also use the same delivery practices, rates, and methods of computing rates in effect for such competitor during that period. (See sections 5 and 6 (c).)

5. Permitted additions to listed prices. (a) If the maximum price of the supplier of any seller covered by this order is increased by action of the Office of Price Administration taking effect after the date stated on the price table listing the item or items subject to the price increase, each seller may increase the listed maximum price for each such item by the amount permitted resellers by the amendment or order increasing the supplier's maximum price. (See section 2 (d).)

(b) Each reseller of any item marked with a superior figure 1 in the following tables may add to the listed price that percentage of the listed price which equals his percentage increase in current acquisition costs resulting from any increase in inbound rail freight rates approved after March 31, 1946. (Supplementary Order No. 179.) Thus, if one of these items cost the retailer 80¢, and this cost is increased 2¢ by reason of a rail freight rate increase, his cost has been increased  $2\frac{1}{2}\%$  ( $.02 \div .80 = .025$  or  $2\frac{1}{2}\%$ ). If the retail sales price listed in the applicable table for this item is 90¢, the retailer may now charge  $92\frac{1}{4}\%$  ( $2\frac{1}{2}\% \text{ of } \$0.90 = \$0.02\frac{1}{4} + \$0.90 = \$0.92\frac{1}{4}$ ). This authorization to add to listed prices applies only to increases in rates, and not to increases in transportation costs due to changes in methods of shipment or in sources of supply.

TABLE I (DATED SEPT. 27, 1946)—MAXIMUM PRICES (INCLUDES DELIVERY)

Item No.	Description of commodity	Unit	Large quantity sales—\$200 and over at 1 time	Small quantity sales under \$200 at 1 time
1	Plaster, hardwall	100-pound bag	\$0.85	\$0.90
	Ton	17.00		
2	Plaster, gaging	100-pound bag	1.35	1.40
3	Plaster, moulding	do	1.35	1.40
4	Plaster, bonding	do	1.10	1.15
5	Keene's cement	do	2.30	2.40
6	Finishing lime <sup>1</sup>	50-pound bag	.67	.73
	Ton	23.52		
7	Portland cement <sup>1</sup>	94-pound bag (paper)	.87	.92
8	Waterproof cement, gray, portland <sup>1,2</sup>	do	1.60	1.10
9	Waterproof cement, white, portland <sup>1,2</sup>	do	2.22	2.32
10	White portland cement <sup>1,2</sup>	do	2.00	2.10
11	Hi-Early cement, portland <sup>1,2</sup>	do	1.60	1.10
12	Masonry mortar <sup>1</sup>	Cubic foot bag (paper)	.82	.87
13	Mason's hydrated lime <sup>1</sup>	50-pound bag	.52	.67
	Metal lath:			
14	2.3-pound painted diamond mesh	Square yard	.26	.27
15	2.4-pound painted diamond mesh	do	.30	.31
16	3.4-pound galvanized diamond mesh	do	.32	.33
17	2.75-pound flat rib, painted	do	.25	.29
18	3.4-pound, $\frac{3}{8}$ " flat rib painted <sup>2</sup>	do	.32	.33
19	3.4-pound, $\frac{3}{8}$ " Hyrib painted <sup>2</sup>	do	.29	.30
20	Corner bend, standard	Linear feet	.035	.04
21	Gypsum lath, $\frac{3}{8}$ "	1,000 square feet	24.00	28.00
	Asphalt roofing, smooth surface, first grade:			
22	45-pound <sup>2</sup>	Roll (108 square feet)	1.70	1.70
23	55 pounds <sup>2</sup>	do	2.23	2.23
24	65 pounds <sup>2</sup>	do	2.55	2.55
25	Asphalt roofing, 90-pound mineral surface	do	2.76	3.04
	Asphalt or tarred felt:			
26	15 pounds	Roll (432 square feet)	2.72	2.84
27	30 pounds	Roll (216 square feet)	2.72	2.84
28	Asphalt shingles (3 in line) 210 pounds, thick butt	Per square	5.77	6.03
29	Asphalt roll brick siding (105 pounds)	do	3.50	9.50
	Siding, rigid asbestos shingles (12" x 24"):			
30	Standard white	do	8.82	8.82
31	Standard gray	do	8.57	8.57
32	Gypsum roof units, $1\frac{1}{2}$ " <sup>2</sup>	Per 1,000	145.00	145.00
33	Gypsum roof units, 2"	do	195.00	195.00
34	Gypsum wallboard, $\frac{1}{2}$ " <sup>2</sup>	1,000 square feet	40.00	40.00
35	Gypsum wallboard, $\frac{3}{8}$ " <sup>2</sup>	do	40.00	45.00
36	Gypsum wallboard, $\frac{3}{8}$ " grained <sup>2</sup>	do	70.00	70.00
37	Gypsum sheathing $\frac{3}{8}$ " <sup>2</sup>	do	35.00	40.00
38	Wallboard (upson or equal) $\frac{3}{8}$ " <sup>2</sup>	do	50.00	50.00
39	Wallboard, utility $\frac{3}{8}$ " <sup>2</sup>	do	40.00	40.00
40	Fibre insulation board $\frac{1}{2}$ " standard lath and board	do	48.35	53.75
41	Fibre insulation board, $\frac{2}{3}$ " asphalt sheathing	do	78.00	84.50
42	Standard density synthetic fibre board $\frac{3}{8}$ " (4' x 8')	Square foot	.085	.09
43	Hard density synthetic fibre board $\frac{3}{8}$ " tempered	do	.09	.095
	Building paper, red rosin:			
44	20 pounds	Roll	1.25	1.25
45	30 pounds	do	1.60	1.60
	Thermal insulation, mineral wool:			
46	Blankets (paper-backed) $3\frac{1}{2}$ " x 4" thick	1,000 square feet	60.00	65.00
47	Batts, (paper backed), 2" thick	do	47.00	52.00
48	Batts, (paper backed), full thick	do	60.00	65.00
49	Loose in bags, plain	Pound	.025	.03
50	Loose in bags, modulated	do	.03	.035
	Clay drain tile: <sup>2</sup>			
51	3"	Linear foot	.10	.10
52	4"	do	.13	.13
53	6"	do	.20	.20
	Wall coping tile, (camel back): <sup>2</sup>			
54	9"	do	.24	.24
55	13"	do	.36	.36
56	18"	do	.72	.72
	Vitrified clay sewer pipe:			
57	Standard single strength, 2-foot lengths:			
58	4"	do	.22	.22
59	6"	do	.32	.32
60	8"	do	.49	.49
61	10"	do	.72	.72
62	12"	do	.92	.92
	Standard single fittings, <sup>2</sup> (Y's, T's, curves, and elbows).	Per fitting	(?)	(?)
	Rectangular fire clay flue linings: <sup>2</sup>			
63	4 $\frac{1}{2}$ " x 8 $\frac{1}{2}$ "	Linear foot	.26	.26
64	4 $\frac{1}{2}$ " x 13 $\frac{1}{2}$ "	do	.35	.35
65	7 $\frac{1}{2}$ " x 7 $\frac{1}{2}$ "	do	.26	.26
66	8 $\frac{1}{2}$ " x 8 $\frac{1}{2}$ "	do	.38	.38
67	8 $\frac{1}{2}$ " x 13"	do	.55	.55
68	8 $\frac{1}{2}$ " x 18"	do	.78	.78
69	13" x 13"	do	.75	.75
70	13" x 18"	do	1.05	1.05
71	18" x 18"	do	1.31	1.31

<sup>1</sup> See 5 (b) above.

<sup>2</sup> New item.

<sup>3</sup> 4 times the linear foot price for same size standard single strength pipe.

TABLE II (DATED SEPTEMBER 27, 1946)—MAXIMUM PRICES (F. O. B. PIT OR YARD)

Item No.	Description of commodity	Unit	Maximum price pit or yard
1	Crushed stone, 2"	Ton	\$1.55
2	Crushed stone, 1"	do	1.50
3	Crushed stone, $\frac{1}{2}$ "	do	2.50
4	Concrete block, 8 x 8 x 16 cylinder	Per block	.19
5	Concrete block, 8 x 8 x 16 sand	do	.17

## Second Revised Appendix B—Central Massachusetts Area Maximum Prices

shall also use the same delivery practices, rates, and methods of computing rates in effect for such competitor during that period. (See sections 5 and 6 (c)).

5. Permitted additions to listed prices. (a) If the maximum price of the supplier of any seller covered by this order is increased by action of the Office of Price Administration taking effect after the date stated on the price table listing the item or items subject to the price increase, each seller may increase the listed maximum price for each such item by the amount permitted resellers by the amendment or order increasing the supplier's maximum price. (See section 2 (d))

(b) Each reseller of any item marked with an asterisk (\*) in the following tables may add to the listed price that percentage of the listed price which equals his current acquisition cost resulting from any increase in in-bound rail freight rates approved after March 31, 1946. (Supplementary Order No. 179.) Thus, if one of these items cost the retailer 60¢ and this cost is increased 2¢ by reason of a rail freight rate increase, his cost has been increased  $2\frac{1}{2}\%$ ,  $(.02 + .80 = .025 \text{ or } 2\frac{1}{2}\%)$ . If the retail sales price listed in the applicable table for this item is 90¢ the retailer may now charge 92½¢ ( $2\frac{1}{2}\% \text{ of } 90 = .02\frac{1}{4} + 90 = \$92\frac{1}{4}$ ). This authorization to add to listed prices applies only to increases in rates and not to increases in transportation costs due to changes in methods of shipment or in sources of supply.

6. Table I (dated Sept. 27, 1946) maximum prices (f. o. b. yard except as may be modified by par. 2 above).

2. Delivery practices and rates in effect for a seller during March 1942 must be maintained. (See sections 3 and 6 (c)).

3. A discount of 2% for payment within 10 days must be granted except on over-the-counter cash sales amounting to less than \$50.00. A seller's March 1942 further discounts, allowances, differentials, and terms must be maintained. (See section 2 (b) and section 6 (c)).

4. New sellers. In addition to the requirements in paragraphs 2 and 3 above, a new seller must grant the further discounts, allowances, differentials, and terms as were in effect during March, 1942, for his most closely competitive seller of the same class. He.

Item No.	Description of commodity	Unit	Maximum prices per unit
29	Asphalt shingles (3 in line) 210 lbs. thick built.....	Per square .....	\$6.13
30	Asphalt roll brick siding (105 lb.) <sup>1</sup> .....	do .....	3.80
31	Siding, rigid asbestos shingles 12" x 24" vi.....	do .....	8.56
32	Standard white.....	do .....	8.20
33	Standard gray.....	do .....	40.00
34	Gypsum wallboard, 1/4".....	do .....	40.00
35	Gypsum wallboard (Unson or equal) 3/16".....	do .....	47.00
36	Wallboard (utility) 1/2".....	do .....	40.00
37	Fibre, insulation board 3/8" standard lath and board.....	do .....	51.60
38	Building paper, red resin; 2 30 pounds.....	Roll.....	1.25
39	30 pounds.....	do .....	1.65
40	Thermal insulation mineral wool; Blankets (paper backed), 3 1/2" thick.....	1,000 square feet.....	52.00
41	Blankets (paper backed), full thickness.....	do .....	59.00
42	Loose in bags plain.....	40 pound bag.....	1.25
43	Loose in bags, modulated.....	do .....	1.90
44	Clay drain tile; 3 3 inches.....	Linear foot.....	.105
45	4 inches.....	do .....	.13
46	6 inches.....	do .....	.27
47	Wall coping (lap lock); 2 9 inches.....	do .....	.37
48	13 inches.....	do .....	.55
49	Vitrified clay sewer pipe, standard single strength; 2 foot lengths; 4 inches.....	do .....	.24
50	6 inches.....	do .....	.38
51	8 inches.....	do .....	.56
52	10 inches.....	do .....	.80
53	12 inches.....	do .....	1.05
54	Vitrified clay sewer pipe, standard single fittings; 2 's, T's, curves and elbows). Rectangular fireclay flue lining; 2 8 1/2" x 8 1/2", 8 1/2" x 13", 8 1/2" x 18", 12" x 12", 12" x 18", 13" x 18", 18" x 18", 20" x 26", 24" x 24", 24" x 30", 24" x 36", 24" x 42", 24" x 48", 24" x 54", 24" x 60", 24" x 66", 24" x 72", 24" x 78", 24" x 84", 24" x 90", 24" x 96", 24" x 102", 24" x 108", 24" x 114", 24" x 120", 24" x 126", 24" x 132", 24" x 138", 24" x 144", 24" x 150", 24" x 156", 24" x 162", 24" x 168", 24" x 174", 24" x 180", 24" x 186", 24" x 192", 24" x 198", 24" x 204", 24" x 210", 24" x 216", 24" x 222", 24" x 228", 24" x 234", 24" x 240", 24" x 246", 24" x 252", 24" x 258", 24" x 264", 24" x 270", 24" x 276", 24" x 282", 24" x 288", 24" x 294", 24" x 300", 24" x 306", 24" x 312", 24" x 318", 24" x 324", 24" x 330", 24" x 336", 24" x 342", 24" x 348", 24" x 354", 24" x 360", 24" x 366", 24" x 372", 24" x 378", 24" x 384", 24" x 390", 24" x 396", 24" x 402", 24" x 408", 24" x 414", 24" x 420", 24" x 426", 24" x 432", 24" x 438", 24" x 444", 24" x 450", 24" x 456", 24" x 462", 24" x 468", 24" x 474", 24" x 480", 24" x 486", 24" x 492", 24" x 498", 24" x 504", 24" x 510", 24" x 516", 24" x 522", 24" x 528", 24" x 534", 24" x 540", 24" x 546", 24" x 552", 24" x 558", 24" x 564", 24" x 570", 24" x 576", 24" x 582", 24" x 588", 24" x 594", 24" x 600", 24" x 606", 24" x 612", 24" x 618", 24" x 624", 24" x 630", 24" x 636", 24" x 642", 24" x 648", 24" x 654", 24" x 660", 24" x 666", 24" x 672", 24" x 678", 24" x 684", 24" x 690", 24" x 696", 24" x 702", 24" x 708", 24" x 714", 24" x 720", 24" x 726", 24" x 732", 24" x 738", 24" x 744", 24" x 750", 24" x 756", 24" x 762", 24" x 768", 24" x 774", 24" x 780", 24" x 786", 24" x 792", 24" x 798", 24" x 804", 24" x 810", 24" x 816", 24" x 822", 24" x 828", 24" x 834", 24" x 840", 24" x 846", 24" x 852", 24" x 858", 24" x 864", 24" x 870", 24" x 876", 24" x 882", 24" x 888", 24" x 894", 24" x 900", 24" x 906", 24" x 912", 24" x 918", 24" x 924", 24" x 930", 24" x 936", 24" x 942", 24" x 948", 24" x 954", 24" x 960", 24" x 966", 24" x 972", 24" x 978", 24" x 984", 24" x 990", 24" x 996", 24" x 1002", 24" x 1008", 24" x 1014", 24" x 1020", 24" x 1026", 24" x 1032", 24" x 1038", 24" x 1044", 24" x 1050", 24" x 1056", 24" x 1062", 24" x 1068", 24" x 1074", 24" x 1080", 24" x 1086", 24" x 1092", 24" x 1098", 24" x 1104", 24" x 1110", 24" x 1116", 24" x 1122", 24" x 1128", 24" x 1134", 24" x 1140", 24" x 1146", 24" x 1152", 24" x 1158", 24" x 1164", 24" x 1170", 24" x 1176", 24" x 1182", 24" x 1188", 24" x 1194", 24" x 1200", 24" x 1206", 24" x 1212", 24" x 1218", 24" x 1224", 24" x 1230", 24" x 1236", 24" x 1242", 24" x 1248", 24" x 1254", 24" x 1260", 24" x 1266", 24" x 1272", 24" x 1278", 24" x 1284", 24" x 1290", 24" x 1296", 24" x 1302", 24" x 1308", 24" x 1314", 24" x 1320", 24" x 1326", 24" x 1332", 24" x 1338", 24" x 1344", 24" x 1350", 24" x 1356", 24" x 1362", 24" x 1368", 24" x 1374", 24" x 1380", 24" x 1386", 24" x 1392", 24" x 1398", 24" x 1404", 24" x 1410", 24" x 1416", 24" x 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2346", 24" x 2352", 24" x 2358", 24" x 2364", 24" x 2370", 24" x 2376", 24" x 2382", 24" x 2388", 24" x 2394", 24" x 2400", 24" x 2406", 24" x 2412", 24" x 2418", 24" x 2424", 24" x 2430", 24" x 2436", 24" x 2442", 24" x 2448", 24" x 2454", 24" x 2460", 24" x 2466", 24" x 2472", 24" x 2478", 24" x 2484", 24" x 2490", 24" x 2496", 24" x 2502", 24" x 2508", 24" x 2514", 24" x 2520", 24" x 2526", 24" x 2532", 24" x 2538", 24" x 2544", 24" x 2550", 24" x 2556", 24" x 2562", 24" x 2568", 24" x 2574", 24" x 2580", 24" x 2586", 24" x 2592", 24" x 2598", 24" x 2604", 24" x 2610", 24" x 2616", 24" x 2622", 24" x 2628", 24" x 2634", 24" x 2640", 24" x 2646", 24" x 2652", 24" x 2658", 24" x 2664", 24" x 2670", 24" x 2676", 24" x 2682", 24" x 2688", 24" x 2694", 24" x 2700", 24" x 2706", 24" x 2712", 24" x 2718", 24" x 2724", 24" x 2730", 24" x 2736", 24" x 2742", 24" x 2748", 24" x 2754", 24" x 2760", 24" x 2766", 24" x 2772", 24" x 2778", 24" x 2784", 24" x 2790", 24" x 2796", 24" x 2802", 24" x 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3732", 24" x 3738", 24" x 3744", 24" x 3750", 24" x 3756", 24" x 3762", 24" x 3768", 24" x 3774", 24" x 3780", 24" x 3786", 24" x 3792", 24" x 3798", 24" x 3804", 24" x 3810", 24" x 3816", 24" x 3822", 24" x 3828", 24" x 3834", 24" x 3840", 24" x 3846", 24" x 3852", 24" x 3858", 24" x 3864", 24" x 3870", 24" x 3876", 24" x 3882", 24" x 3888", 24" x 3894", 24" x 3900", 24" x 3906", 24" x 3912", 24" x 3918", 24" x 3924", 24" x 3930", 24" x 3936", 24" x 3942", 24" x 3948", 24" x 3954", 24" x 3960", 24" x 3966", 24" x 3972", 24" x 3978", 24" x 3984", 24" x 3990", 24" x 3996", 24" x 4002", 24" x 4008", 24" x 4014", 24" x 4020", 24" x 4026", 24" x 4032", 24" x 4038", 24" x 4044", 24" x 4050", 24" x 4056", 24" x 4062", 24" x 4068", 24" x 4074", 24" x 4080", 24" x 4086", 24" x 4092", 24" x 4098", 24" x 4104", 24" x 4110", 24" x 4116", 24" x 4122", 24" x 4128", 24" x 4134", 24" x 4140", 24" x 4146", 24" x 4152", 24" x 4158", 24" x 4164", 24" x 4170", 24" x 4176", 24" x 4182		

## FEDERAL REGISTER, Thursday, October 17, 1946

He shall also use the same delivery practices, rates and methods of computing rates in effect for such competitor during that period. (See sections 5 and 6 (c))

5. Permitted additions to listed prices.

(a) If the maximum price of the supplier of any seller covered by this order is increased by action of the Office of Price Administration taking effect after March 31, 1946, (Supplementary Order No. 179.) Thus, if one of these items cost the retailer 80¢ and this cost is increased 2¢ by reason of a rail freight rate increase, his cost has been increased 2½% ( $.02 \div .80 = .025$  or  $2\frac{1}{2}\%$ ). If the retail sales price listed in the applicable table for this item is 90¢ the retailer may now charge 92½¢ (2½% of .90 =  $.02\frac{1}{2} + .90 = .92\frac{1}{2}$ ). This authorization to add to listed prices applies only to increases in rates, and not to increases in transportation costs due to changes in methods of shipment or in sources of supply.

(b) Each reseller of any item marked with a, in the following tables may

6. Table I (dated September 27, 1946) maximum prices (includes delivery).

Item No.	Description of commodity	Unit	Maximum prices per unit
1	Plaster: Hardwall.....	100-pound bag.....	\$0.40
	do.....	100-pound bag.....	18.40
2	Gaging.....	100-pound bag.....	2.00
3	Molding.....	100-pound bag.....	2.00
4	Bonding.....	100-pound bag.....	2.00
5	Keene's cement.....	50-pound bag.....	2.50
6	Finishing lime <sup>1</sup> (hot).....	80-pound bag.....	2.73
7	Portland cement.....	94-pound bag (paper).....	1.68
8	Portland cement.....	do.....	1.67
9	Waterproof cement, gray, portland <sup>1</sup> .....	do.....	2.65
10	Waterproof cement, white, portland <sup>1</sup> .....	do.....	2.40
11	White portland cement <sup>1</sup> .....	do.....	1.65
12	H-Early cement, portland <sup>1</sup> .....	do.....	1.65
13	Masonry mortar <sup>1</sup> .....	Cubic foot, bag (paper).....	82
14	Mason's hydrated lime <sup>1</sup> .....	Ton.....	20.80
15	Metal lathe <sup>1</sup> : 2½-pound painted diamond mesh.....	Square yard.....	29
16	3.4-pound painted diamond mesh.....	do.....	36
17	3.4-pound flat rib, painted <sup>1</sup> .....	do.....	38
18	3.4-pound $\frac{1}{2}$ -inch flat rib, painted <sup>1</sup> .....	do.....	38
19	3.4-pound $\frac{3}{4}$ -inch Hyrib, painted <sup>1</sup> .....	do.....	37
20	Corner head, standard.....	Linear foot.....	0.45
21	Corner head, expanded.....	do.....	0.65
22	Gypsum lathe <sup>1</sup> , smooth surface first grade.....	1,400 square feet.....	2.72
23	Asphalt roofing, smooth surface first grade.....	Roll (108 square feet).....	1.82
24	46 pound.....	do.....	2.26
25	45 pound.....	do.....	2.68
26	65 pound.....	do.....	2.71
27	Asphalt or tarred felt: 15 pound.....	do.....	2.71
28	30 pound.....	do.....	2.72
29	Asphalt shingles (3 in line 210 pounds, thick built) <sup>1</sup> .....	do.....	6.03
30	Asphalt roll or strip shingles (105 pounds) <sup>1</sup> .....	do.....	3.75
31	Sliding, rigid asbestos, shingles, 12' x 24'.....	Dunstable.....	2.08
32	Standard white <sup>1</sup> : Standard gray <sup>2</sup> .....	Dracut.....	8.83
33	Gypsum roof units, 1 inch <sup>1</sup> .....	Tyngsborough.....	1.93
34	Gypsum roof units, 1½ inches <sup>1</sup> .....	Westford.....	1.40
35	Gypsum wallboard <sup>1</sup> : ½-inch.....	Chelmsford.....	25.00
36	¾-inch.....	Lowell.....	40.00
37	Wallboard (U-pson or equal) $\frac{5}{8}$ " x $\frac{7}{8}$ ".....	do.....	45.00
38	Fiber insulation board $\frac{1}{2}$ " standard lathe and board <sup>1</sup> .....	do.....	48.38
39	Standard density synthetic fiber board $\frac{3}{8}$ " x $\frac{7}{8}$ " tempered.....	do.....	48.38
40	Hart density synthetic fiber board $\frac{3}{8}$ " tempered.....	do.....	48.38
41	Building paper, red rosin <sup>1</sup> .....	do.....	1.80
42	20 lb. <sup>1</sup> .....	do.....	1.20
43	30 lb. <sup>1</sup> .....	do.....	1.80
44	Thermal insulation, mineral wool <sup>1</sup> : Blankets (paper backed) single 1".....	1,000 square feet.....	42.00
45	Blankets (paper backed) 2" thick.....	do.....	65.00
46	Batts (paper backed), 2" thick.....	do.....	45.00
47	Batts (paper backed), full thick.....	do.....	65.00

Item No.	Description of commodity	Unit	Maximum prices per unit
48	Loose, in bags, plain.....	35-pound bag.....	\$1.15
	Do.....	40-pound bag.....	50.00
49	Loose in bags, nodulated.....	35-pound bag.....	1.25
	Do.....	40-pound bag.....	1.45
	Clay drain tile <sup>3</sup> .....	Ton.....	60.00
		Linear foot.....	.10
50	Clay drain tile <sup>3</sup> .....	do.....	.12
51	Clay drain tile <sup>3</sup> .....	do.....	.22
52	Wall coping tile (cannel back): <sup>4</sup>	do.....	.36
53	1½"	do.....	.56
54	1¾"	do.....	.84
55	1⅝"	do.....	.43
56	Vitrified clay sewer pipe, standard, single strength: 2-foot lengths; <sup>5</sup>	Per fitting.....	1.08
57	6"	do.....	.24
58	8"	do.....	.36
59	10"	do.....	.56
60	12"	do.....	.84
61	Vitrified clay sewer pipe standard single fittings <sup>3</sup> (Y's, T's, curves and elbows), Rectangular fire clay fine lining: <sup>6</sup>	Linear foot.....	.43
62	8½" x 8½" 8½" x 12½"	do.....	.65
63	8½" x 13"	do.....	.97
64	8½" x 18"	do.....	.83
65	13" x 13"	do.....	1.35
66	13" x 18"	do.....	1.62
67	18" x 18"	do.....	2.89
68	20" x 20"	do.....	3.73
69	24" x 24"	do.....	4.74

<sup>1</sup> New item.  
<sup>2</sup> See section 5, (b) above.  
<sup>3</sup> Under 1,000 square feet at \$29.25.  
<sup>4</sup> Under 1,000 units at \$29.25.  
<sup>5</sup> Under 1,000 units at \$153.  
<sup>6</sup> Under 1,000 square feet at \$12.  
<sup>7</sup> Under 1,000 square feet at \$17.5.  
<sup>8</sup> Under 1,000 square feet at \$30.  
<sup>9</sup> Under 1,000 square feet at \$45.  
<sup>10</sup> Under 1,000 square feet at \$70.  
<sup>11</sup> Under 1,000 square feet at \$50.  
<sup>12</sup> Four times the linear foot price for same size standard single strength pipe.

**SECOND REvised APPENDIX D—NORTHEASTERN MASSACHUSETTS AREA MAXIMUM PRICES**

1. Northeastern Massachusetts area includes:

(a) All of Essex County except Saugus and Lynn.

(b) The following cities and towns in Middlesex County:

Bedford.....  
Concord.....  
Dunstable.....  
Dracut.....  
Lynn.....  
North Reading.....  
Chelmsford.....  
Lowell.....  
Tewksbury.....  
Billerica.....  
Carlisle.....  
Westford.....  
Concord.....  
Lincoln.....  
Weston.....  
Reading.....  
Burlington.....  
Willington.....

2. Free delivery must be made within a radius of 10 miles of seller's customary place of business except as otherwise provided. (See sections 3 and 6 (c).)

3. A discount of 2% for payment within 10 days must be granted, except on over-the-counter cash sales amounting to less than

Maximum prices per unit

\$1.00

5. Permitted additions to listed prices.

(a) If the maximum price of the supplier of any seller covered by this order is increased by action of the Office of Price Administration taking effect after March 31, 1946, (Supplementary Order No. 179.) Thus, if one of these items cost the retailer 80¢ and this cost is increased 2¢ by reason of a rail freight rate increase, his cost has been increased 2½% ( $.02 \div .80 = .025$  or  $2\frac{1}{2}\%$ ). If the retail sales price listed in the applicable table for this item is 90¢ the retailer may now charge 92½¢ (2½% of .90 =  $.02\frac{1}{2} + .90 = .92\frac{1}{2}$ ). This authorization to add to listed prices applies only to increases in rates, and not to increases in transportation costs due to changes in methods of shipment or in sources of supply.

(b)

Each reseller of any item marked with a, in the following tables may

add to the listed price that percentage of increase in current acquisition cost resulting from any increase in inbound rail freight rates approved after March 31, 1946. (Supplementary Order No. 179.) Thus, if one of these items cost the retailer 80¢ and this cost is increased 2¢ by reason of a rail freight rate increase, his cost has been increased 2½% ( $.02 \div .80 = .025$  or  $2\frac{1}{2}\%$ ). If the retail sales price listed in the applicable table for this item is 90¢ the retailer may now charge 92½¢ (2½% of .90 =  $.02\frac{1}{2} + .90 = .92\frac{1}{2}$ ). This authorization to add to listed prices applies only to increases in rates, and not to increases in transportation costs due to changes in methods of shipment or in sources of supply.

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(b)

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(b)

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(b) Each reseller of any item marked with an asterisk (\*) in the following tables may add to the listed price which equals his percentage increase in current acquisition cost resulting from any increase in inbound rail freight rates approved after March 31, 1946. (Supplementary Order No. 179). Thus, if one of these items cost the retailer 80¢ and this cost is increased 2½% by reason of a rail sources of supply.

6. Table I (dated Sept. 27, 1946). Maximum prices (includes delivery).

Item No.	Description of commodity	Unit	Maximum prices per unit
1	Plaster, hardwall	100-pound bag	\$1.00
2	Plaster, gauging	do	1.42
3	Keene's cement	do	2.25
4	Finishing lime	do	.76
5	Portland cement 1	94-pound bag (paper)	.97
6	Waterproof cement, gray, portland 1	do	1.09
7	White portland cement 1	do	1.27
8	Hi-Early cement, portland 1	do	1.00
9	Masonry mortar 1	do	.82
10	Mason's hydrated lime 1	do	.56
11	2½-pound, painted diamond mesh	do	.28
12	3½-pound, painted diamond mesh	do	.36
13	4½-pound, flat rib, painted	do	.33
14	Corner bead, standard	Linear foot	.045
15	Gypsum lath, ¾"	1,000 square feet	24.00
16	Asphalt roofing, smooth surface, first grade, <sup>1</sup>	Roll (108 square feet)	2.18
17	45-pound	do	2.67
18	65-pound	do	2.71
19	Asphalt roofing, 90-pound mineral surface	do	2.79
20	Asphalt or tarred felt	do	2.79
21	15-pound	do	5.77
22	30-pound	do	8.56
23	Asphalt shingles (3 in line) 210 pounds thick built	Per square	8.35
24	Siding, rigid asbestos shingles 12" x 24", tempered	do	8.35
25	Standard white	do	8.35
26	Standard gray	do	8.35
27	Gypsum wallboard, ½"	do	8.35
28	Gypsum wallboard (Upson or equal) ½" x ½" standard lath and board	do	8.35
29	Fiber insulation board, ½" standard lath and board	do	8.35
30	Standard density synthetic fiber board ½" x ½" tempered	do	8.35
31	Building paper, red rosin-t	do	8.35
32	30-pound	do	8.35
33	Thermal insulation, mineral wool	do	8.35
34	Blankets (paper backed) single, 1" thick	1,000 square feet	50.00
35	Blankets (paper backed) 3½" x 4" thick	do	63.00
36	Batts (paper backed) full thick	do	63.00
37	Loose in bags, plain	40-pound bag	1.15
38	Loose in bags, nodulated	do	1.15
39	Vitrified clay sewer pipe, standard single strength, 2 foot lengths	do	1.50
40	T's, curves and elbows	do	1.50
41	Rectangular, flat clay flue lining	do	1.50
42	Vitrified clay sewer pipe, standard single fittings, 1 Y's	do	1.50
43	Rectangular, flat clay flue lining, 1	do	1.50
44	8½" x 8½"	do	1.50
45	8½" x 13"	do	1.50
46	13" x 18"	do	1.50
47	18" x 18"	do	1.50
48	do	do	1.50
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50	do	do	1.50
51	do	do	1.50
52	do	do	1.50
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## FEDERAL REGISTER, Thursday, October 17, 1946

**5. Permitted additions to listed prices.**  
 (a) If the maximum price of the supplier of any seller covered by this order is increased by action of the Office of Price Administration taking effect after the date stated on the price table listing the item or items subject to the price increase, each seller may increase the listed maximum price for each such item by the amount permitted resellers by the amendment or order increasing the supplier's maximum price. (See section 2 (d))  
 (b) Each reseller of any item marked with a (c) in the following tables may add to the listed price that percentage of the listed price which equals his percentage of supply.

Table I. (dated Sept. 27, 1946). Maximum prices (includes delivery).

Item No.	Description of commodity	Unit	Maximum prices per unit
24	Asphalt roofing, 90-pound mineral surface.	do	\$2.76
25	Asphalt or tared felt; 15-pound.	Roll (432 square feet). Roll (216 square feet).	2.63 2.63
26	Asphalt shingles (3 in line) 210 pounds, thick butt.	Per square.	5.77
27	Siding, rigid asbestos shingles, 12" x 24"; 1 Standard, white.	do	3.75
28	Gypsum wallboard, 14 <sup>7/16</sup> " x 32".	do	8.45
29	Gypsum wallboard, 36".	do	8.25
30	Fiber insulation board 1 <sup>1/2</sup> " standard, lath and board.	do	26.00
31	Wallboard (Upton or equal) 31 <sup>1/2</sup> " x 4".	do	44.00
32	Wallboard, utility 3 <sup>1/2</sup> " x 4".	do	50.00
33	Standard density synthetic fiberboard 3 <sup>1/2</sup> " x 8".	do	75.00
34	Hart density synthetic fiberboard 3 <sup>1/2</sup> " tempered 30 pounds.	do	48.38
35	Building paper, red rosin; 2	do	10
36	Thermal insulation, mineral wool;	do	90.00
40	Blankets (paper backed) single, 1 <sup>1/2</sup> " thick.	1,000 square feet.	50.00
41	Blankets (paper backed) 3 <sup>1/2</sup> -4" thick.	do	65.00
42	Batts (paper backed) 2" thick.	do	60.00
43	Batts (paper backed), full thick.	40-pound bag	65.00
44	Loose in bags; plain.	36-pound bag	1.20
45	Pum.	40-pound bag	1.05
46	Clay drain tile; 2 <sup>3/4</sup> , 4", 6", 8", 10", 12", 13", 15", 18", 20", 22", 24", 26", 28", 30", 32", 34", 36", 38", 40", 42", 44", 46", 48", 50", 52", 54", 56", 58", 60", 62", 64", 66", 68", 70", 72", 74", 76", 78", 80", 82", 84", 86", 88", 90", 92", 94", 96", 98", 100", 102", 104", 106", 108", 110", 112", 114", 116", 118", 120", 122", 124", 126", 128", 130", 132", 134", 136", 138", 140", 142", 144", 146", 148", 150", 152", 154", 156", 158", 160", 162", 164", 166", 168", 170", 172", 174", 176", 178", 180", 182", 184", 186", 188", 190", 192", 194", 196", 198", 200", 202", 204", 206", 208", 210", 212", 214", 216", 218", 220", 222", 224", 226", 228", 230", 232", 234", 236", 238", 240", 242", 244", 246", 248", 250", 252", 254", 256", 258", 260", 262", 264", 266", 268", 270", 272", 274", 276", 278", 280", 282", 284", 286", 288", 290", 292", 294", 296", 298", 300", 302", 304", 306", 308", 310", 312", 314", 316", 318", 320", 322", 324", 326", 328", 330", 332", 334", 336", 338", 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Item No.	Description of commodity	Unit	Maximum prices per unit
48	T's, curves and elbows. Rectangular fire clay flue linings: <sup>1</sup>		
49	4½" x 13"	Linear foot	.34
50	4½" x 13½"	do	.455
51	7½" x 7½"	do	.34
52	8½" x 8½"	do	.46
53	8½" x 13"	do	.695
54	13" x 13"	do	1.04
55	13" x 18"	do	.90
56	Concrete block, 8" x 8" x 16", cinder	Per block	1.35

<sup>1</sup> See 5 (b) above.

2 New item.

3 Under 1,000 square feet at 6 cents per square foot.

4 times the linear foot price for same size standard single strength pipe.

**Opinion Accompanying Amendment 4 to Order No. G-2 Under General Order No. 68**

The accompanying Amendment No. 4 to Order No. G-2 issued by the Regional Administrator for Region I substitutes new appendices containing revised price tables for those incorporated into the order by amendment No. 3.

The new price tables list all of the items previously covered by this order at the maximum prices established by the order as amended to date. In addition a number of new items not previously covered by this order are now listed and assigned dollar and cent maximum retail sales prices. These new items are identified in the price tables by the symbol (').

The authority for establishing area-wide retail maximum prices for these new items is the same as that for the issuance of Order No. G-2 and the procedure is described fully in the statement of considerations accompanying the original order. Since the considerations for the issuance of maximum prices for the additional items are identical with those for the issuance of the original order, the provisions of the opinion accompanying the issuance of that order are incorporated herein by reference.

Supplementary Order No. 179, effective August 23, 1946, permits resellers of certain commodities, some of which are listed in the price tables of the appendices to this order, to increase their maximum prices to reflect increases in inbound rail freight rates occurring after March 31, 1946. Such items are designated by a (') wherever they appear in the appendices. The amount of adjustment permitted by Supplementary Order No. 179 is based upon the percentage increase in the reseller's cost due to any increase in inbound rail freight rates and it is deemed impracticable at the present time to reflect the dollar and cent amount of the permitted increase. Accordingly, this amendment does not supersede Supplementary Order No. 179, and resellers may add to the prices of the designated items as established by this amended order, the amounts permitted by Supplementary Order No. 179.

[F. R. Doc. 46-18649; Filed, Oct. 16, 1946; 8:51 a. m.]

[Region IV Order G-54 Under RMPR 122, Amdt. 1]

**SOLID FUELS IN TUSCALOOSA, ALA., TERRITORY**

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, paragraph (d) of Order No. G-54 under Revised Maximum Price Regulation No. 122, issued by this office June 27, 1945, is amended to read as follows:

(d) **Maximum prices.** Maximum prices established by this order are as follows for sales on a "Direct Delivery or Domestic" basis:

*Bituminous coal from district No. 13.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Lump and double-screened egg (size groups 1-5, inclusive): From mines in subdistrict No. 2 in price group 3.....	\$9.45	\$4.98	\$2.61
From mines in subdistrict No. 2 in price group 7.....	8.70	4.60	2.43
Nut and Chestnut (raw) (size groups 7, 9, and 10)—from mines in subdistrict No. 2 in price group 3.....	8.40	4.45	2.35
Mine run and resultants over 3" (raw) (size groups 13, 19, 20 and 21): From mines in subdistrict No. 2 in price group 3.....	8.30	4.40	2.33
From mines in subdistrict No. 2 in price group 7.....	7.80	4.15	2.20
Resultants and screenings 3" and under (raw) (size groups 22 and 23): From mines in subdistrict No. 2 in price group 3.....	6.85	3.68	1.96
From mines in subdistrict No. 2 in price group 7.....	6.20	3.35	1.80

**Effective date.** This amendment shall become effective as of August 22, 1946.

Issued: October 2, 1946.

JOHN R. DEKLE, JR.,  
Acting Regional Administrator.

**Opinion Accompanying Amendment No. 1 to Order No. G-54 Under Revised Maximum Price Regulation No. 122**

Amendment No. 1 to Order No. G-54 under Revised Maximum Price Regulation No. 122 is issued simultaneously herewith under § 1340.260 of said regulation and incorporates the several increases authorized by Amendment No. 158 to Maximum Price Regulation 120, effective June 21, 1946; increases in freight rates as authorized by Amend-

ment 46 to Revised Maximum Price Regulation 122, effective July 26, 1946; increases allowed by Amendment No. 42 to Revised Maximum Price Regulation No. 122, effective March 30, 1946; and increases of 18¢ per ton as authorized by Amendment 48 to Revised Maximum Price Regulation 122 to meet the requirements of section 2 (t) of the Price Control Extension Act of 1946.

The prices specified have affirmatively been found to be generally fair and equitable to all dealers in the area covered by the order. It has likewise been affirmatively found that the issuance of said Amendment will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-18645; Filed, Oct. 16, 1946; 8:50 a. m.]

[Region VIII Order G-4 Under MPR 592, Revocation]

**CONSTRUCTION MATERIALS AND REFRAC- TORIES IN SAN FRANCISCO REGION**

For the reasons set forth in the accompanying opinion and pursuant to the authority vested in the Regional Administrator by section 16 of Maximum Price Regulation No. 592, and reserved in Order No. G-4 under Maximum Price Regulation No. 592, said Order No. G-4 is hereby revoked.

This order of revocation shall become effective October 3, 1946.

Issued this 3d day of October 1946.

BEN C. DUNIWAY,  
Regional Administrator.

**Opinion Accompanying Order Revoking Order No. G-4 Under Maximum Price Regulation No. 592**

Order No. G-4 established maximum prices for resellers of brick and tile products manufactured in the State of Washington. This order provided that if the manufacturer had secured an increase, the reseller could increase his maximum price by the same dollar and cents increase permitted the manufacturer.

Section 2 (t) of the Emergency Price Control Act of 1942, as amended, now provides that in establishing maximum prices applicable to wholesale or retail distributors, the Administrator shall allow the average current cost of acquisition of any commodity plus such average percentage discount or markup as was in effect on March 31, 1946. This has been implemented by the issuance of Supplementary Order No. 176.

The effect of this revocation will be that those dealers heretofore pricing under Order No. G-4 may now price under Supplementary Order No. 176. They will thus secure their current cost of acquisition plus their markup in effect on March 31, 1946.

[F. R. Doc. 46-18651; Filed, Oct. 16, 1946; 8:52 a. m.]

[Region IV Rev. Order G-35, Under RMPR 122, Amdt. 2]

**SOLID FUELS IN GREENVILLE, N. C.**

For the reasons set forth in an opinion issued simultaneously herewith and un-

der the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, Revised Order No. G-35 under Revised Maximum Price Regulation No. 122, issued by this office on June 1, 1945, is amended in the following respects:

1. Paragraph (e) is amended to read as follows:

(e) **Maximum prices.** Maximum prices established by this Order are as follows for sales on a "Direct Delivery or Domestic" basis:

(1) Low volatile bituminous coal from district Nos. 7 and 8.

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Lump and egg in price classifications B and C from mine index 391, No. 2 mine of the Raven Red Ash Coal Co.	\$12.37	\$6.19	\$3.34
Nut in price classification A and from mine index 391, No. 2 mine of the Raven Red Ash Coal Co.	9.87	4.94	2.72
Pea stoker in price classification A from district 7	10.29	5.15	2.82
Berwind briquettes	12.84	6.42	3.46

(2) High volatile bituminous coal from district No. 8.

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Egg (size group 3), from mine index 370, the Point Lick No. 4 mine of the Hatfield-Campbell Creek Coal Corp.	\$11.77	\$5.89	\$3.19
Egg, top size larger than 3", bottom size larger than 3" but not exceeding 4", and all double screened coals, top size 5" and larger, bottom size larger than 4" in price classification M and in price classification K from subdistrict No. 6; and egg, top size larger than 6", bottom size larger than 2" but not exceeding 3", in price classification C.	11.57	5.79	3.14
Egg, top size larger than 5", but not exceeding 6", bottom size larger than 2", but not exceeding 3", and top size larger than 6", bottom size 2" and smaller from mine index 370, the Point Lick No. 4 mine of the Hatfield-Campbell Creek Coal Corp.	11.27	5.64	3.07
Egg, top size larger than 5" but not exceeding 6", bottom size 2" and smaller and top size 3" and larger, but not exceeding 5", bottom size larger than 2" but not exceeding 3" in price classification E through N, inclusive.	10.42	5.21	3.86
Stoker coal from Mine Index 370 the Point Lick No. 4 Mine of the Hatfield-Campbell Creek Coal Corp.	10.22	5.11	3.81
Stoker	10.07	5.04	2.77

2. Subparagraph (f) (3) is amended to read as follows:

(f) **Maximum authorized service charges and required deductions.** \* \* \*

(3) **Sacked coal.** For coal sold in sacks at the yard, the dealer may charge at a rate of not more than 80¢ per cwt. of coal when the customer furnishes the sack. If the dealer furnishes the sack, an additional charge of not more than 15¢ per sack may be made.

**Effective date:** This amendment shall become effective as of August 22, 1946.

Issued October 2, 1946.

JOHN R. DEKLE, Jr.,  
Acting Regional Administrator.

*Opinion Accompanying Amendment No. 2 to Revised Order No. G-35 Under Revised Maximum Price Regulation No. 122*

Amendment No. 2 to Revised Order No. G-35 under Revised Maximum Price Regulation No. 122 is issued simultaneously herewith under § 1340.260 of said regulation and incorporates the several increases authorized by Amendment No. 158 to Maximum Price Regulation 120, effective June 21, 1946; increases in freight rates as authorized by Amendment 46 to Revised Maximum Price Regulation 122, effective July 26, 1946; increases allowed by Amendment No. 42 to Revised Maximum Price Regulation 122, effective March 30, 1946; and increases of 18¢ per ton as authorized by Amendment 48 to Revised Maximum Price Regulation 122 to meet the requirements of section 2 (t) of the Price Control Extension Act of 1946.

The prices specified have affirmatively been found to be generally fair and equitable to all dealers in the area covered by the order. It has likewise been affirmatively found that the issuance of said amendment will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-18644; Filed, Oct. 16, 1946;  
8:49 a. m.]

[Dallas Order 4 Under Gen. Order 68,  
Amdt. 3]

BUILDING MATERIALS IN BOWIE COUNTY,  
TEX.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to General Order No. 68, the maximum prices for the commodities set forth in Appendix A are amended to read as follows:

Name of item	Basic unit	When sold in quantities of—	Carload FOB car	FOB plant, yard, or store, or delivered in free delivery zone
Plaster, hardwall	100 pound sack	Less than ton		\$1.10
	Ton	Ton or more less-than-carload		20.00
	do	Carload	\$16.50	1.35
Plaster, gauging	100 pound sack	Any less-than-carload		1.35
	Ton	Carload	18.00	1.35
Plaster, moulding	100-pound sack	Any less-than-carload		18.00
	Ton	Carload	1.90	1.01
Keene's cement	100-pound sack	Any		.27½
Finishing lime, Ohio	50-pound sack	do		.33
Metal lath 2.5 lb. painted diamond mesh, copper bearing	Square yard	do		3.19
Metal lath 3.4 lb. painted diamond mesh, copper bearing	do	do		4.26
Metal corner bead, narrow flange	100 linear feet	do		1.94
Metal corner bead, expanded type, wide flange	do	do		1.94
Portland cement, standard	94-pound paper sack	1 to 9 sacks		.81½
	do	10 or more less-than-carload		.76½
	Barrel	Carload	2.71	2.86
	94-pound cloth bag	Any less-than-carload		1.01½
	Barrel	Carload	3.47	3.56
Masonry mortar	67-pound sack	Any less-than-carload		.75
	Barrel	Carload	2.35	2.35
Hydrated lime	10-pound sack	Any		.28
	50-pound sack	Less than ton		.73
	100-pound sack	Any		2.50
	108 foot roll	do		2.43
Hydrated lime	do	do		2.21
Waterproof cement, white	do	do		2.16
Asphalt roofing, 65 lb. smooth surface 1st quality	do	do		1.94
Asphalt roofing, 65 lb. smooth surface 2d quality	do	do		1.63
Asphalt roofing, 55 lb. smooth surface 1st quality	do	do		1.78
Asphalt roofing, 55 lb. smooth surface 2d quality	do	do		1.68
Asphalt roofing, 55 lb. smooth surface 3d quality	do	do		1.42
Asphalt roofing, 45 lb. smooth surface 1st quality	do	do		2.56
Asphalt roofing, 45 lb. smooth surface 2d quality	do	do		2.62
Asphalt roofing, 45 lb. smooth surface 3d quality	do	do		5.66
Asphalt roofing, 90 lb. mineral surface	do	do		4.61
Asphalt or tarred felt, 15 lbs.	432-foot roll	do		5.37
Asphalt or tarred felt 30 lb.	216-foot roll	do		4.26
Asphalt shingles, 210 lb. 3 in 1, thick butt	100 square feet	do		12.07
Asphalt shingles, 167 lb. 2-tab hexagon, 11 1/2"	do	do		11.50
Fibre insulation board 3/8" standard board and lath	100 square feet	do		.30
Fibre insulation board 5/8" standard board and lath	do	do		.37½
Asbestos cement siding 12" x 24" or 27" standard colors	do	do		6.92
Asbestos cement siding 12" x 24" or 27" white	do	do		6.39
Asbestos cement roofing shingles, economy cut, standard colors	do	do		2.75
Asbestos cement roofing shingles, economy cut, white	do	do		3.00
Steel-Tex interior	Square yard	do		2.50
Steel-Tex exterior	do	do		2.50
Fire clay	100 pound bag	do		6.92
Ceiling tile 12" x 12"	100 square feet	do		6.39
Ceiling tile 16" x 32"	do	do		3.00
Gravel, washed concrete	Cubic yard	do		2.50
Sand, washed concrete	do	do		2.50
Sand, brick, or plaster	do	do		2.50

The maximum prices established by this amendment shall not be charged until the seller's net invoiced cost has been increased by its supplier.

Issued: August 22, 1946.

Effective: August 24, 1946.

GUS W. THOMASSON,  
District Director.

*Opinion Accompanying Amendment 3 to  
Order No. 4 Under General Order 68*

Since the issuance of Order No. 4 under General Order No. 68, manufacturers of some of the items covered by such order have been permitted to increase their maximum prices. These increases may be passed through to resellers and it is therefore necessary that order No. 4 be amended to reflect increased costs. This is accomplished by Amendment No. 3.

[F. R. Doc. 46-18647; Filed, Oct. 16, 1946;  
8:51 a. m.]

[Region VI Order G-120 Under 18 (c) and  
MPR 592]

BUILDING AGGREGATES, MINNEAPOLIS,  
MINN., AREA

For the reasons set forth in the opinion issued simultaneously herewith, and pursuant to the authority vested in the Regional Administrator of Region VI of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, and section 17 of Maximum Price Regulation No. 592, "Specified Construction Materials and Refractories," *It is hereby ordered:*

(a) The maximum rate for the transportation of building aggregates by for-hire carriers within the area described in paragraph (d) of this order shall be 46 cents per ton. This order shall not be applicable to any maximum rate for hauling of aggregates heretofore established on a basis other than units of weight.

(b) Each manufacturer of building aggregates may add to his present maximum price for a delivered sale of aggregates an amount equal to 1 cent per ton for each cent by which the hauling rate charged him by his for-hire carrier pursuant to paragraph (a) of this order exceeds 35 cents per ton but in no event shall the manufacturer increase his maximum price pursuant to this paragraph by more than 11 cents per ton.

(c) A "for-hire carrier" of building aggregates is a carrier who transports aggregates by wagon or motor vehicle for a compensation paid by the person he serves, and who has no financial interest or ownership in such aggregates. A "manufacturer" is defined for the purposes of this order as stated in Section 1 of Maximum Price Regulation No. 592.

(d) The "Minneapolis, Minnesota, Area" to which this order shall be applicable, shall be comprised of the cities of Minneapolis, Robbinsdale, the villages of St. Louis Park, Richfield, Edina and Bloomington in the county of Hennepin, as well as the city of Columbia Heights in the County of Anoka, all in the State of Minnesota.

(e) Except as herein specifically modified, all provisions of the General Maximum Price Regulation and of Maximum Price Regulation No. 592, "Specified Construction Materials and Refractories," shall continue in full force and effect with respect to the services and commodities and the sellers thereof covered by this order.

This order shall be effective as of the 10th day of September, 1946, and it may be amended, revised or revoked at any time.

Issued this 10th day of September 1946.

EARL W. CLARK,  
Regional Administrator.

*Opinion Accompanying Order No. G-120  
Under § 1499.18 (c) of the General  
Maximum Price Regulation and Section  
17 of Maximum Price Regulation  
No. 592*

Price changes effected by the accompanying order have been undertaken primarily to eliminate impediments to building construction activities in Minneapolis, Minnesota and neighboring communities, which have arisen from certain disparities in the local trucking rates for sand, gravel and crushed stone, a group of commodities collectively known as building aggregates and essential to building construction. These raw materials are produced locally and are hauled from the pits where produced, to local building sites generally by independent for-hire carriers. A small number of producers are able to haul these materials with equipment owned and operated by themselves. The established maximum rate for local hauling of aggregates for nearly all of the for-hire carriers in the area in and about Minneapolis, Minnesota is 35 cents per ton. There are a great many small operators engaged, either intermittently or regularly, in this type of hauling and a few large business enterprises engaged in the same type of work.

Information submitted to this office indicates that most of the small truck operators, who formerly hauled aggregates, have drifted away from this activity and have concentrated their efforts in other lines of trucking where they have found the returns are greater. The larger hauling operators have continued to haul building aggregates either because their established maximum prices are substantially higher than 35 cents per ton, or because the Office of Price Administration authorized higher maximum hauling rates in the individual cases of some others. With respect to the latter, it was found by the Office of Price Administration, that the costs of performing the service warranted a maximum rate of 46 cents per ton. It can therefore be said that the great bulk of local transportation of aggregates is now being carried on in the Minneapolis area at rates equal to 46 cents per ton or more. The volume of such service available at this rate, however, is not sufficient to maintain an adequate flow of aggregates to building sites, and the progress of building construction in the area has been and is being retarded to considerable degree by this fact.

The situation will be improved if a sufficient number of the small truck operators can be induced to resume the hauling of aggregates. They have not done so to date despite repeated efforts, claiming that the costs of their operations have increased to a point rendering it unprofitable for them to do so at their base period maximum rates of 35 cents per ton. This office has found this claim to be valid in the cases of the larger trucking operators who have furnished us with operating data. Therefore, this office believes that the circumstances which justified the establishment of a maximum rate for hauling building aggregates of 46 cents per ton for the large operators, applies equally to the smaller operators. The establishment of a uniform hauling rate of 46 cents per ton throughout the area by the accompanying order does not, in fact, serve to raise the general level of rates at which this service is now provided, but it does promise to eliminate rate differentials which are apparently unwarranted at this time and thereby increase the volume of such service provided in the community, thus furthering necessary building construction.

Maximum rates for local transportation of building aggregates have actually been, to a great extent, at a level equal to 46 cents per ton or more for the past six months. During that time, there has developed no evidence of diversion or a tendency to diversion of trucking facilities from St. Paul to the Minneapolis area despite the fact that St. Paul trucking rates for similar services are at a slightly lower level, primarily for short hauls.

Therefore, the Regional Administrator for Region VI of the OPA has found that the establishment of a uniform rate of 46 cents per ton for hauling of building aggregates will remove the threat to the continuance of this essential transportation; that this rate is fair and equitable, and that the relief thus granted will substantially reduce or remove the threatened shortage and will not create or tend to create a shortage or a need for increase in rates in another locality and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

The accompanying Order also authorizes increases in producers' (called "manufacturers" herein), maximum prices for building aggregates based on a showing that none of the producers are financially able to absorb any portion of the increased cost represented by the increase in the local trucking rate. Since it has been established that the prevailing maximum rate for hauling of building aggregates was 35 cents per ton, the accompanying order permits the addition to existing maximum prices for aggregates of an amount equal to the increase in hauling rates above 35 cents. Manufacturers who engage the hauling companies who have by previous order already been granted an increase in their hauling charges to 46 cents per ton are also permitted by the accompanying order to increase their maximum prices for aggregates by 11 cents per ton because they have demonstrated that they are unable to absorb this additional cost factor.

## FEDERAL REGISTER, Thursday, October 17, 1946

The accompanying order makes no changes in hauling rates or in the prices of building aggregates transported when the hauling rate has been customarily quoted on a basis other than weight. This was done because in the few instances where hauling is on the basis of a cubic yard or an hourly charge or on some basis other than the basis of weight, the maximum prices are at a level equal to or higher than that established by the accompanying order.

[F. R. Doc. 46-18646; Filed, Oct. 16, 1946; 8:50 a. m.]

[Region VIII Rev. Order G-9 Under MPR 592, Amdt. 1]

**HEAVYWEIGHT CONCRETE BUILDING BLOCKS  
IN SOUTHERN CALIFORNIA**

An opinion accompanying this amendment has been issued simultaneously herewith.

Revised Order No. G-9 under Maximum Price Regulation No. 592 is amended in the following respects:

1. In Appendix A the maximum price per M blocks for a block 4" wide, 2" high, and 6" long is changed from \$12.00 to \$17.00.

2. Paragraph 3 of the General Notes is amended to read as follows:

*Dealers' maximum prices.* The maximum prices for sales of building blocks by dealers shall be as follows:

(i) For sales f. o. b. the dealer's place of business, the same as the maximum prices of the producer thereof, for a sale at retail, delivered to the dealer's place of business.

(ii) For sales made and delivered to a place or site, the same as the maximum prices of the producer thereof, for a sale at retail, delivered to that same place or site.

This amendment shall become effective September 30, 1946.

Issued this 3d day of October 1946.

BEN C. DUNIWAY,  
*Regional Administrator.*

*Opinion Accompanying Amendment No. 1  
to Revised Order No. G-9 Under Maxi-  
mum Price Regulation No. 592*

Two changes are made by this amendment.

1. Through typographical error, the maximum price per thousand blocks for a block 4" wide, 2" high and 8" long was fixed at \$12.00. This has been changed to \$17.00.

2. It has been brought to the attention of the Regional Administrator that paragraph 3 of the General Notes is

susceptible to the construction that a dealer's maximum resale price is the same as the maximum price that the producer thereof could charge the dealer. This is not the intent of the paragraph. Therefore, for clarity, it has been made explicit by this amendment, that the maximum price for a sale by a dealer is the same as the maximum price of the producer thereof for a sale at retail.

[F. R. Doc. 46-18652; Filed, Oct. 16, 1946; 8:52 a. m.]

**LIST OF COMMUNITY CEILING PRICE ORDERS**

The following orders under Revised General Order 71 were filed with the Division of the Federal Register on October 4, 1946.

*Region IX*

Hawaii Order 18, covering fresh fruits and vegetables Imported from the Mainland. Filed 9:23 a. m.

Hawaii Order 19, covering fresh fruits and vegetables Imported from the Mainland. Filed 9:24 a. m.

Copies of any of these orders may be obtained in the OPA Office in the Territory of Hawaii.

ERVIN H. POLLACK,  
*Secretary.*

[F. R. Doc. 46-18554; Filed, Oct. 15, 1946; 8:53 a. m.]